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The Bombay Primary Education Rules 1924

(As amended up to 1st September 1933)

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BOMBAY PRIMARY EDUCATION RULES, 1924

TABLE OF CONTENTS.

Chapter.		Rules.	Pages.
I.	Powers and Duties of Local Authorities ...	1—12	2—6
II.	School Boards—		
	A—Election of School Boards ...	13—16	7—9
	B—Manner of electing the School Board ...	17—20	9—11
	C—Chairman and Vice-Chairman ...	21—25	11—12
	D—Conduct of Business of the School Board ...	26—31	12—14
	E—Powers and Duties of the School Board ...	32—40	14—17
III.	The Administrative Officer of the School Board ...	41—43	17—18
IV.	Staff to be employed by the Local Authorities—		
	A—General ...	44—47A	18—20
	B—Administrative, Inspecting and Supervising Staff.	48—53	21—22
	C—Teaching Staff ...	54—61	23—25
V.	Accommodation, Equipment, Courses of Instruction, Attendance, etc.—		
	A—Accommodation ...	62—64	25—26
	B—Equipment ...	65—68	26
	C—Subjects of Instruction ...	69—72	26—27
	D—Attendance ...	73—76	27—28
	E—Fees ...	77—78	28
VI.	Approved Schools ...	79—93	28—32
VII.	School Committees ...	94—108	32—34
VIII.	Grants to Local Authorities—		
	A—Recurring Grants ...	109—113	35—38
	B—Non-recurring Grants ...	114—116	38—39
IX.	Municipalities which are not Local Authorities ...	117—124	39—42
X.	Enforcement of Compulsion ...	125—131	42—44
XI.	Preparation of Schemes of Compulsory Elementary Education.	132—135	45—46
XII.	Preparation of Schemes on a Voluntary Basis ...	136—139	46—47
XIII.	Preparation of the Budget—		
	A—Budget ...	140	47
	B—Accounts ...	141—146	47—49
	C—Audit ...	147—151	49—50

Pages.

SCHEDULES

SCHEDULE A.—Communities classified as Backward and Depressed Classes. 51—52

SCHEDULE B.—Constitution of School Boards under the Bombay Primary Education Act, 1923. 53—55

SCHEDULE C.—Model Rules for the Election of the School Board ... 56—60

SCHEDULE D.—Rules for Building Grants ... 61—85

SCHEDULE E.—Rules indicating the procedure regarding execution of works pertaining to School Buildings. 86—87

SCHEDULE F.—Model Pension Fund Rules ... 88

SCHEDULE G.—Model Provident Fund Rules ... 89—93

APPENDICES

APPENDIX A.—Form: Census. ... 94

APPENDIX B.—Form: Attendance Notice ... 95

APPENDIX C.—Form: Estimate of the number of children to be provided for (District Local Board). 96

APPENDIX D.—Form: Estimate of the number of children to be provided for (Municipalities). 97

APPENDIX E.—Form: Consolidated estimate of the number of children to be provided for. 98

APPENDIX F.—Form: Distribution of pupils by castes ... 99

APPENDIX G.—Form: Estimate of the additional cost of the programme ... 100

APPENDIX H.—Form: Estimate of the increase in the number of pupils ... 101

APPENDIX I.—Form: Estimate of the cost of the programme ... 102

APPENDIX J.—Form: Detailed scheme for the introduction of compulsory elementary education. 103—106

APPENDIX K.—Form: Detailed scheme for the expansion of primary education on a voluntary basis. 106

THE BOMBAY PRIMARY EDUCATION RULES, 1924

Educational Department

Bombay Castle, 10th October 1924

No. 2534.—In exercise of the powers conferred by the proviso to section 58 of the Bombay District Municipal Act, 1901 (Bom. III of 1901), sub-section (*2*) of section 20 of the Bombay Village Panchayats Act, 1920 (Bom. IX of 1920), sub-section (*1*) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), and clause (*e*) of section 133 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), and in supersession of the Government Notifications specified in the margin, the Government of Bombay is pleased to make the following rules prescribing the extent of the independent authority of (1) municipalities which have been authorized by Government to manage their own schools and are local authorities under the Bombay Primary Education Act, 1923 (Bom. IV of 1923), (2) municipalities which are not local authorities, but have transferred under section 6 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), primary schools vesting in them to the district local boards of the districts concerned, which are local authorities under the said Act, (3) district local boards which are local authorities under the Bombay Primary Education Act, 1923 (Bom. IV of 1923), and for which school boards have been constituted under section 3 of the said Act, and (4) taluka local boards in respect of education and their relations with the Government Educational Department and with each other in educational matters, for the supervision of village schools by panchayats, and regulating the matters to be prescribed under sub-section (*1*) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), namely:—

(1) So much of Government Notification in the Revenue Department No. 78, dated the 7th January 1885, as relates to rules determining the relations between Local Boards and the Educational Department in educational matters;

(2) Government Notification in the Educational Department No. 2033, dated the 18th April 1921; and

(3) Government Notification in the General Department No. 55-A, dated the 26th May 1922.

Notes—1. Portions in italics consist of extracts from the relevant Acts printed for convenient reference.

2. District local boards which are local authorities under the Bombay Primary Education Act, 1923, but for which no school boards have been constituted under section 3 of the said Act will be governed by rules prescribed by Government under clause (*e*) of section 133 of the Bombay Local Boards Act, 1923 (Bom. VI of 1923).

3. Municipalities which have not been authorized by Government to manage their own schools under the Bombay Primary Education Act, 1923, in the districts in which no school boards have been constituted for district local boards which are local authorities under the said Act will be governed by rules prescribed in Government Notification in the Educational Department, No. 2033, dated the 18th April 1921.

CHAPTER I

Powers and Duties of Local Authorities

Bombay Local Boards Act, 1923, section 59 (*d*).

It shall be the duty of local boards, as far as the local fund at their disposal will allow, to make adequate provision for the areas respectively subject to their authority in regard to the provision of suitable accommodation for, and the visiting and maintenance of primary schools, and the payment, if necessary, of stipends to persons qualifying as teachers for primary schools during the period of their training for such qualifications, and the general development and extension of primary education.

Bombay District Municipal Act, 1901, section 54 (*p*).

It shall be the duty of every Municipality to make reasonable provision for establishing and maintaining primary schools.

Bombay Primary Education Act, 1923, section 2 (Definitions).

"Local authority" means a district local board or a Municipality which is authorized by the Government to manage its own schools and includes in the case of Aden, the Executive Committee of Aden.

Section 4 (3). *The School Board shall submit its annual budget and all alterations therein for the sanction of the local authority.*

Section 8 (1). *A local authority shall take over and employ such primary school teachers employed under the Educational Department of the Government as the Government may direct, on the same terms and conditions on which such persons were employed under the said department.*

Section 8 (2). *The existing and future rights, liabilities, duties and powers of the Government in respect of such teachers shall vest in and be exercised or performed by the local authority:—*

Provided (a) *that any such teacher shall have a right of appeal to the Government against any order of dismissal;*

(b) *that the scales of pay and allowances applicable to such teachers at the time at which they are taken over and employed by the local authority shall not be altered without the previous sanction of the Government.*

Section 8 (3). *A local authority shall make such payments to such other local authority as the Government may direct in respect of services rendered to such authority by any teacher taken over by such other authority under the provisions of sub-section* (1).

Section 9 (1). *The local authority shall, after inviting and considering the suggestions, if any, of the school board and with the approval of the Government, appoint an officer who shall be called the School Board Administrative Officer.*

Section 10(1). *A local authority may by resolution declare its intention to provide compulsory elementary education in the whole or any part of the area subject to its jurisdiction in the case of children of either sex or both sexes and, if the local authority is a district local board, in any area subject to the jurisdiction of a municipality situate in the district*

which is not a local authority and shall submit its proposals to the Government in the form of a scheme.

A local authority, if called upon by the Government so to do, shall within a time to be specified by the Government submit a scheme to provide compulsory elementary education in such area as above as the Government may direct and in the case of children of either sex or both sexes as the Government may specify. Section 10(2).

Every local authority shall, within the prescribed period, prepare as complete a programme as possible for the universal introduction of compulsory education within the area subject to its jurisdiction within a definite period. Section 10(3).

When a scheme has been sanctioned the local authority shall make adequate provision for compulsory elementary education within the area of compulsion and no fee shall be charged in any school within such area managed by the school board in respect of the elementary education of any child. Section 11.

A sanctioned scheme may with the sanction of the Government be withdrawn or from time to time modified by a local authority. Section 15.

The local authority may from time to time with the sanction of the Government make regulations not inconsistent with the provisions of this Act and the rules thereunder for carrying out the purposes of this Act; in particular and without prejudice to the generality of the foregoing provisions, the local authority may make regulations— Section 27(3).

(a) *including in the curriculum of primary education courses of practical instruction suitable to local needs;*

(b) *for the instruction in experimental science, modelling, nature study, manual training and prevocational work, including household science, of children of any age receiving primary education;*

(c) *for the physical and moral training of children of any age receiving primary education;*

(d) *determining the pay and terms of employment of the teaching, inspecting and supervising staff and regulating the administration and management of primary schools;*

(e) *for the supply of books, slates and educational requisites to indigent children of any age receiving primary education;*

(f) *prescribing pre-vocational course as a part of upper primary education.*

Short title.

1. These rules may be called the Bombay Primary Education Rules, 1924.

Definitions.

2. In these rules unless there is anything repugnant in the subject or context—

(*a*) "Local authority" means a District Local Board or a Municipality which is authorized by the Government to manage its own schools;

(*b*) "Act" means the Bombay Primary Education Act, 1923;

(*c*) "Approved school" means a school or part of a school in which instruction in elementary education is given and which is for the time being approved by the School Board constituted under section 3 of the Bombay Primary Education Act, 1923, or by the Government on appeal from a decision of the school board refusing approval;

(*d*) "Backward" and "Depressed" classes shall mean the classes mentioned as such in schedule A and shall include such classes as Government may in consultation with the local authority from time to time declare to be "backward" and "depressed" classes;

Note.—The terms "backward" and "depressed" classes referred to above do not include Muhammadans.

(*e*) "Trained teacher" means a teacher who holds a certificate of a Government primary training institution or such other certificate as may from time to time be recognized by Government.

Maintenance of primary schools.

3. (1) A local authority shall maintain an adequate number of primary schools, and no pupil shall be debarred from receiving primary education by reason of his caste.

(2) In addition to schools in which instruction is given through the medium of the local vernacular, a local authority shall provide schools for the instruction of pupils speaking any recognized vernacular of the Presidency, viz. Marathi, Gujarati, Kanarese, Sindhi or Urdu, other than the local vernacular, if

(*i*) in any area the majority of persons residing therein desire that their children should receive such instruction;

(*ii*) in any area in which compulsory elementary education has been introduced there are not less than 25 pupils whose parents ordinarily reside in the locality and desire that they should receive such instruction.

The provision of the instruction referred to in (*i*) and (*ii*) shall only be obligatory if there is no other "approved school" giving such instruction in the locality.

Provided that in special cases Government may exempt a local authority from the operation of this sub-rule.

English may be recognized as the vernacular of such Indian Christians as speak no recognized vernacular of the Presidency.

(3) (*i*) A local authority shall pay special attention to the needs of Muhammadans, backward and depressed classes and may make special provision for such classes by opening separate schools, by instituting scholarships, or by employing and training teachers belonging to these classes.

(*ii*) A local authority shall continue to maintain special facilities for such classes, as for example, central schools for Muhammadans and backward communities, scholarships for depressed classes, and similar objects for which special grants have been awarded by Government, such grants having been included in the annual grant payable to the local authority under section 13 (*2*) of the Act.

(4) A local authority shall also make reasonable provision for primary education other than elementary, i.e. for instruction in standards above standard IV.

Employment of staff.

4. (1) A local authority shall employ an adequate administrative, supervising, inspecting and teaching staff, including such attendance officers as may be necessary, the pay and terms of employment generally of all members of these staffs being determined by these rules and by the regulations made by the local authority under section 27 (*3*) (*d*) of the Act.

(2) All officers, teachers, clerks and menials so employed shall be appointed by the School Board, and shall be under the control of, and subject to, the orders of the School Board, except in so far as the powers of the School Board have been limited by the Act or by rules framed under the Act.

Explanation.—"Officer" means a member of the administrative, supervising or inspecting staff.

(3) The School Board Administrative Officer and the clerks in the School Board Office who handle money shall furnish securities as follows:—

	Rs.
(*i*) The School Board Administrative Officer of a District Local Board or a Local Authority Municipality whose maximum pay exceeds Rs. 500.	3,000
(*ii*) The School Board Administrative Officer of a Local Authority Municipality whose pay is not less than Rs. 250 or more than Rs. 500.	1,500
(*iii*) The School Board Administrative Officer of other Local Authority Municipalities.	1,000
(*iv*) Head Clerk or Accountant...	One-half of the amount laid down for the Administrative Officer of the Local Authority.
(*v*) Accounts Clerk... ...	One-half of the amounts laid down for the Head Clerk or Accountant of the School Board.

4A. (1) A local authority may grant leave (other than casual leave) to the Administrative Officer on the recommendation of the School Board.

(2) The appointment of the School Board Administrative Officer, whether permanent or acting, shall be made by the local authority after inviting and considering the suggestions, if any, of the School Board and with approval of Government as provided in section 9 (*1*) of the Act.

Leave and pension contributions to Government.

5. (1) A local authority shall pay leave and pension contributions in respect of all officers and clerks whose services have been or may be lent to it by Government.

(2) Every local authority shall make due provision for the payment of pensions of all primary school teachers taken over and employed by it under sub-section (*1*) of section 8 of the Act, from the date of such taking over and employment: provided that the local authority shall give them in lieu of pension the option of joining any Provident Fund which has been or may be established by it according to the rules approved by Government in this behalf for the benefit of teachers or other members of the educational establishments employed by it after the aforesaid date. The option once exercised shall be final.

Provision for the payment of such pensions shall be made, either by payment to the Government of pension contribution or by the establishment of a pension fund as the Government may from time to time require. Where the establishment of a pension fund is sanctioned, the local authority shall make payments into it at such intervals and rates as may be prescribed by the Government.

Supply of trained teachers.

6. A local authority shall make adequate arrangements for the supply of a sufficient number of trained teachers by the award of stipends tenable at a Government training institution or otherwise.

Provision of buildings and equipment for schools.

7. A local authority shall provide necessary buildings and equipment for schools maintained by it.

Payment of other charges.

8. A local authority shall defray such other charges in respect of primary education as may be necessary for the proper and efficient discharge of its obligatory duties under the Act.

Payment of grants.

9. A local authority shall, subject to the proviso to rule 86, provide for the payment through the School Board of grants-in-aid to approved primary schools in the area subject to its jurisdiction, and if the local authority is a District Local Board, in any area subject to the jurisdiction of a municipality within the district which is not a local authority, which apply for such grants.

Free elementary education to be provided in area of compulsion.

10. In an area of compulsion the local authority shall provide adequate facilities for the free elementary education of all children subject to the Act.

Supply of statistics to Director of Public Instruction.

11. A local authority shall send to the Director of Public Instruction a copy of the annual and supplementary Budgets of the School Board and an annual statement of all its receipts and expenditure.

Delegation of powers.

12. A local authority may delegate any of its powers or duties to the School Board: provided that without the previous sanction of the local authority no action shall be taken, which may involve expenditure in excess of that provided for in the Budget or increase the liabilities of the local authority in future years.

CHAPTER II

School Boards

A—Election of School Boards

For every local authority there shall be a school board. The school board shall be constituted as prescribed and shall consist of not less than seven and not more than nine elected members, if the local authority is a municipality, and not less than nine and not more than sixteen elected members, if the local authority is a District Local Board. The members shall be elected by the local authority and shall, so far as may be, include persons experienced in education, women, representatives of minorities, backward classes, and depressed classes and, if the local authority is a District Local Board, representatives of municipalities in the district which are not local authorities. Such members shall not necessarily be members of the local authority. Bombay Primary Education Act, 1923, section 3 (*1*).

Disqualifications of members.

13. (1) No person shall be a member of a School Board who—

(*a*) is less than 21 years of age, or

(*b*) is a judge of a civil court, or

(*c*) (*i*) has been sentenced by a criminal court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months or to transportation, such sentence not having been subsequently reversed or quashed, if and so long as such sentence has not expired, or

(*ii*) is a person against whom an order has been passed under section 118 of the Code of Criminal Procedure, 1898 (V of 1898), in proceedings instituted under section 110 of that Code, such order not having been subsequently reversed or quashed, if and so long as such order is in force, or,

(*iii*) has been removed from office under rule 13A, and five years have not elapsed from the date of such removal,

unless he has, by an order of the Government notified in the *Bombay Government Gazzette* or in the *Sind Official Gazette*, as the case may be, been relieved from the disqualification arising on account of such *sentence, order or* removal from office, or

(*d*) is a stipendiary officer or servant of a School Board or of a Local Authority or of a Non-Local Authority Municipality, or

(*e*) is an uncertified bankrupt or an undischarged insolvent, or

(*f*) has directly or indirectly, by himself or his partner, any share or interest in any work done by order of the School Board or of the Local Authority for which it has been constituted or in any contract or employment with, under, or by, and on behalf of the School Board or such Local Authority, or

(*g*) does not ordinarily reside—

(*i*) within the district, if the Local Authority for which the School Board has been constituted is a District Local Board, or

(*ii*) within the municipal district or municipal borough, as the case may be, or within seven miles of the limits thereof, if such Local Authority is a Municipality, or

(*h*) has been adjudged by a competent court to be of unsound mind.

(2) A person shall not be deemed to have incurred disqualification under clause (*f*) of sub-rule (1) by reason of his—

(*a*) having any share or interest in any lease, sale or purchase of any immoveable property or in any agreement for the same, or

(*b*) having a share or interest in any joint stock company or in any society registered or deemed to be registered under the Bombay Co-operative Societies Act, 1925, which shall contract with or be employed by or on behalf of the School Board or of the Local Authority for which it has been constituted, or

(*c*) having a share or interest in any newspaper in which any advertisement relating to the affairs of the School Board or the Local Authority for which it has been constituted may be inserted, or

(*d*) holding a debenture or being otherwise interested in any loan raised by or on behalf of the School Board or the Local Authority for which it has been constituted, or

(*e*) being professionally engaged on behalf of the School Board or the Local Authority for which it has been constituted, as a legal practitioner, or

(*f*) having a share or interest in the occasional sale to the School Board or the Local Authority for which it has been constituted of any article in which he regularly trades, or in the purchase from the School Board or such Local Authority of any article, to a value in either case not exceeding in any official year five hundred rupees or such higher amount not exceeding two thousand rupees as the School Board or such Local Authority with the sanction of the Government may fix in this behalf,

(*g*) having a share or interest in the occasional letting out on hire to the School Board or the Local Authority for which it has been constituted, or in the hiring from the School Board or such Local Authority of any article for an amount not exceeding in any official year fifty rupees, or such higher amount not exceeding two hundred rupees as the School Board or such Local Authority with the sanction of the Government may fix in this behalf,

(*h*) being a police patil, who is an *ex-officio* keeper of village cattle pounds under the control of the Local Authority for which the School Board has been constituted.

(3) If any person already elected or appointed to a School Board is or becomes subject to any of the disqualifications specified in sub-rule (1), or absents himself during three successive months from the meetings of the School Board without the previous permission of the Board, his seat shall be deemed to be vacant and the vacancy shall

be filled up as soon as conveniently may be, by the election or appointment, as the case may be, of a person thereto, who shall hold office so long only as the person in whose place he is elected or appointed would have held it if his seat had not been deemed to be vacant under this sub-rule.

(4) If any question, dispute or doubt arises whether a vacancy has occurred under this rule, the orders of Government shall be final for the purpose of deciding such question, dispute or doubt.

13A. The Government, if it thinks fit, on the recommendation of the School Board and of the Local Authority for which it has been constituted, supported by a resolution passed by at least two-thirds of the whole number of members of each body, may remove any member elected or appointed to the School Board, if such member has been guilty of misconduct in the discharge of his duties, or of any disgraceful conduct or has become incapable of performing his duties as a member:

Provided that no resolution recommending the removal of any member shall be passed unless the member to whom it relates has been given a reasonable opportunity of showing cause why such recommendation should not be made.

Constitution of School Board.

14. The School Board shall be constituted as prescribed in Schedule B to these rules together with such members as may be nominated by Government in accordance with section 3 (2) of the Act.

Election of School Board.

15. As soon as possible after Government have notified under section 4 (*1*) of the Act the date from which the School Board shall exercise its powers, the local authority shall proceed to elect a School Board.

When a new District Local Board or Municipality which is authorized to manage its own schools has been constituted, it shall elect a School Board as soon as possible.

Note.—Model rules for election of a School Board are given in schedule C.

Casual vacancies.

16. Casual vacancies shall be filled up as far as possible by the election or nomination, as the case may be, of a representative of the class or body to which the original member belonged.

B—Manner of electing the School Board

Manner of election of School Board.

17. A local authority shall proceed to elect the members of the School Board in the following manner:—

(*i*) The members representing the following special interests, who shall not necessarily be members of the local authority, shall, if available, first be elected separately in the following manner:—

(1) persons experienced in education: *Explanation.*—A person shall be deemed to be experienced in education—

(*a*) if he has been for not less than ten years an officer of the Government Educational Department, or

(*b*) if he has been for not less than ten years a manager of, or teacher in, a school maintained, aided or recognized by Government, or approved by a local authority, or

(*c*) if he has served as a School Board Administrative Officer of a local authority for not less than five years.

Note.—For the purpose of sub-clause (*b*) a manager of a school shall mean a manager who in fact directs and controls the affairs of a school and not one who merely directs its policy or manages its finances.

(2) women;

(3) representatives of minorities: if more than one minority is to be represented, the representatives of each should be elected separately;

(4) representatives of backward classes;

(5) representatives of depressed classes;

(6) in the case of District Local Boards only representatives of Municipalities in the district which are not themselves local authorities. Every such representative shall be a councillor of the municipality in question.

(*ii*) The members of the School Board under each of the above classes shall be elected by the local authority in the following manner:—

Rules as to election.

If there are more candidates than there are vacancies, voting shall be by ballot, and each member of the local authority desirous of recording his votes at the election shall have as many votes as there are vacancies, and may give one or more votes to any candidate. The candidates getting the largest number of votes shall be elected. If there is an equal number of votes in favour of each of two or more candidates for one vacancy the selection shall be determined by lot.

The local authority shall then elect the remaining members of the School Board according to the above procedure. Members of any of the above special classes who are members of the local authority but have not been elected to represent any of these classes are not excluded from election as ordinary members of the School Board.

Election in place of women.

18. If no woman is fit or willing to serve on the School Board, a person who has had practical experience of the management of girls' schools may be elected in her place.

Election of representatives of municipalities.

19. In electing representatives of municipalities in the district which are not local authorities, a local authority shall previously consult the municipalities.

If the number of such municipalities in a district is greater than the number of representatives to be elected, a roster shall be drawn up showing the order in which representatives of each municipality shall be elected.

20. Immediately after the election has taken place, a local authority shall report to Government through the Director of Public Instruction the names of the persons elected as members of the School Board. The names of the members elected and nominated, if any, shall be published in the *Bombay Government Gazzette*, or in the *Sind Official Gazette*, as the case may be.

Names of elected members to be reported and notified.

C—Chairman and Vice-Chairman

The School Board shall elect its Chairman from amongst the Members of the Board

21. (1) (*a*) The first meeting of a School Board shall be convened by the President of the Local Authority as soon as convenient, but not later than twenty-one days after the publication of the names of the elected and nominated members, if any, in the *Bombay Government Gazette*, or in the *Sind Official Gazette*, as the case may be. At this meeting the School Board shall elect from amongst its members a Chairman and a Vice-Chairman: Provided that where no meeting for the purpose of such election has been convened within the time specified above, the Collector may exercise the powers of the President for the purpose of calling such meeting.

Election of Chairman and Vice-Chairman.

Bombay Primary Education Act, 1923, section 4 (5).

(*b*) The President of the Local Authority shall preside over that meeting until the Chairman has been elected.

(*c*) The President of the Local Authority so presiding shall not be at liberty to vote upon, or to make any proposition at the meeting unless he is himself a member of the School Board.

(*d*) If the President is unable, or, for any reason, fails to preside over the meeting, the members present shall elect from amongst themselves a Chairman for the meeting. Such Chairman shall preside over the meeting until the Chairman of the School Board has been elected.

(*e*) In case of an equality of votes the result of the election shall be determined by lot to be drawn in the presence of the person presiding over the meeting, in such manner as he may determine.

(*f*) The Chairman of the School Board shall, as soon as he is elected, preside over that meeting and the meeting shall then proceed to elect a Vice-Chairman.

(2) The term of office of the Chairman and Vice-Chairman shall be co-extensive with that of the School Board: Provided that, if either of them resigns his office, or becomes incapable of acting, or ceases to be a member of the School Board, previous to the expiry of his term of office, a fresh election to fill up the vacancy shall be held as soon as convenient.

(3) Where the Chairman and Vice-Chairman are unable, or for any reason fail to call within a reasonable time a meeting for the purpose of an election under sub-rule (2), the President of the local authority shall exercise the powers of the Chairman for the purpose of calling such meeting.

(4) On the expiry of the term of office of a School Board, the Chairman and Vice-Chairman shall continue to perform the current administrative duties of their offices until such time as a new Chairman and Vice-Chairman shall have been duly elected and have taken charge of their duties.

Government servants not eligible for election.

22. A salaried servant of Government shall not be elected as Chairman or Vice-Chairman of a School Board.

Note.—The words "salaried servant of Government" do not include a retired servant of Government in receipt of a pension or a person in receipt of a salary or fees from Government who is not a full-time servant of Government.

Duties of Chairman.

23. The Chairman of the School Board shall—

(*a*) preside at the meetings of the Board;

(*b*) watch over the financial and executive administration of the Board;

(*c*) in cases of emergency perform such acts as may appear to him to be necessary, provided that the Act and the rules framed thereunder are not thereby contravened, and that he shall report forthwith the action taken and the reasons therefor to the School Board.

Duties of Vice-Chairman.

24. The Vice-Chairman of the School Board shall—

(*a*) in the absence of the Chairman preside at meetings of the Board;

(*b*) perform such of the duties of the Chairman as the Chairman from time to time deputes to him;

(*c*) pending the election of a Chairman or during the absence of the Chairman on leave, perform the duties of the Chairman.

25. [*Cancelled.*]

D—Conduct of Business of the School Board

Meetings of School Board.

26. The School Board shall meet together not less than once in every month for the transaction of ordinary business, but the Chairman may, whenever he thinks fit, and shall upon the written request of not less than one-third of the members and for a date within such period after the receipt of such request as may be fixed by the School Board, call a special meeting.

Board to make regulations.

27. The School Board shall from time to time make regulations, not inconsistent with the Act or the rules framed thereunder, with respect to the length of notice to be given of meetings, the fixing of the place, day and hour of meetings, the number of members to constitute a quorum, the conduct, management and adjournment of meetings, and the recording of proceedings, and for the transaction of business generally, e.g., by the circulation of propositions to members.

28. The School Board may invite the Educational Inspector to attend a meeting if his presence thereat appears to be desirable; and provided that adequate notice has been given, it shall be incumbent upon him to attend unless prevented by sickness or other reasonable cause, in which case he should, if possible, depute a representative to attend on his behalf. Cf. section 26 (14) (b) of Bom. III of 1901.

Board may require the presence of the Educational Inspector.

29. Meetings of the School Board shall be open to the public, unless the Chairman of the meeting decides that the deliberations on any question shall be in private. Cf. section 26 (7) of Bom. III of 1901.

Meetings to be open to the public.

30. The minutes of proceedings of the meetings of the School Board shall at all reasonable times be open to inspection by any member of the School Board or of the local authority or by a gazetted officer of the Government, Educational Department, or an official authorized in writing in his behalf by such gazetted officer. Copies of the minutes shall be forwarded to the local authority, the Educational Inspector of the Division and the Senior Government Inspecting Officer of the District within two weeks from the date of the meeting at which they are confirmed. On receipt by the Local Authority of the copies of the minutes they shall be placed before the meeting of the Local Authority and formally recorded. All resolutions of the School Board other than those passed at private deliberations of the School Board shall be published as soon as may be by affixing a copy thereof in some conspicuous place in or near the office of the School Board.

Minutes of proceedings to be open to inspection.

31. (1) The members of a School Board, if the local authority is a District Local Board, shall receive payment for expenses incurred in travelling for the purpose of the business of the Board on the same scale as members of the District Local Board, in accordance with the rules made in this behalf by Government under section 50 (*i*) of the Bombay Local Boards Act, 1923.

Travelling allowances to members in certain cases.

Note.—(i) No member of a School Board save the Chairman or the member elected as a person experienced in education shall be deputed for purposes of holding an inquiry which comes within the scope of the duties of the School Board Administrative Officer.

(ii) The Chairman of the School Board shall, as far as may be practicable, in consultation with the President, District Local Board, arrange to hold the meetings of the School Board in conjunction with the dates fixed for the meetings of the District Local Board.

(2) At the first meeting of the School Board in each month, there shall be placed before the meeting for its approval statements of the movements on duty of the Chairman and of members who have performed journeys on duty under the orders of the School Board and the official diary of the Administrative Officer with their travelling allowance bills, in respect of their movements or journeys on duty made in the preceding month.

Statements, official diaries and travelling allowance bills of certain officers and members to be placed before the School Board.

The amount of the travelling allowance bills shall not be drawn until they are approved by the School Board.

E—Powers and Duties of the School Board

Bombay Primary Education Act, 1923, section 4 (*1*). *From such date as the Government may direct in this behalf in respect of each school board and subject to the general control of the local authority, the school board shall exercise and perform such powers and duties as may be enacted in or prescribed under this Act.*

Section 4 (*2*). *The school board shall exercise the powers and perform the duties of the local authority for which it is constituted in respect of primary education and if the local authority is a district local board, it shall also exercise the like powers and perform the like duties of the municipalities in the district which are not local authorities. The school board shall also enforce the provisions of this Act.*

Section 4 (*3*). *The school board shall submit its annual budget and all alterations therein for the sanction of the local authority.*

Section 4 (*4*). *The school board shall further exercise such powers and perform such duties in respect of any educational purpose as may be delegated to it by the local authority or any such municipality as aforesaid.*

Section 5. *The school board may from time to time delegate any of its powers and duties to any sub-committee or member or honorary or stipendiary officer of the board; such committee, member or officer shall conform to any instructions that may from time to time be given by the school board; the board may at any time discontinue or alter the constitution of any sub-committee so formed or withdraw any of the powers or duties so delegated.*

Section 9 (*1*). *The local authority shall, after inviting and considering the suggestions, if any, of the school board and with the approval of Government, appoint an officer who shall be called the School Board Administrative Officer.*

Section 16 (*2*). *The school board in respect of any such school maintained by a local authority, and the manager of any other such school shall furnish such returns and supply such information as the Government or the local authority may from time to time require.*

Section 17. *The subjects, curricula, books and standards of teaching of approved schools and other primary schools maintained or aided by a local authority shall be as prescribed but may be altered by the school board with the sanction of the Government to suit local requirements.*

Section 20 (*1*). *Where the school board is satisfied that the parent of any child who is bound under the provisions of section 18 to cause such child to attend an approved school, has failed to do so, the school board, after giving the parent an opportunity of being heard and after such inquiry as it considers necessary, may pass an order directing the parent to cause such child to attend an approved school on and from a date which shall be specified in the order.*

Section 20 (*2*). *This power may be delegated by the school board to a person or committee appointed by it.*

No court shall take cognizance of an offence under this section (employing a child required to attend school under the Act) except on the complaint of the school board or the School Board Administrative Officer, or any person authorized by the said board or officer in this behalf; and before making any complaint under this section against any person, the school board or the School Board Administrative Officer or such person shall, unless such person has previously been convicted under this section in respect of the same child, cause a warning to be given to such person. Section 22 (2).

Responsibility of School Board for primary schools.

32. Subject to the provisions of the Act and of these rules, the School Board shall be responsible for the management and control of all primary schools maintained by the local authority, and if the local authority is a District Local Board, of primary schools of such municipalities within the district as are not local authorities.

Board to prepare schemes.

33. (*a*) (*i*) The School Board shall prepare the scheme to be submitted to Government by the local authority under section 10 of the Act.

(*ii*) The School Board may also prepare a scheme for the expansion of primary education on a voluntary basis side by side with the introduction of compulsion.

(*b*) After a scheme has been sanctioned by the local authority and by Government, with or without modification, it shall be the duty of the School Board to carry out the provisions of the scheme from year to year, provided that the expenditure does not exceed the amount provided in the Budget.

(*c*) In determining the places where new schools shall be opened, the School Board shall give due consideration to the views of taluka local boards in the district and of such municipalities in the district as are not local authorities.

Powers of School Board.

34. Subject to these rules and to the regulations made by a local authority under section 27 (*3*) (*d*) of the Act the School Board shall—

(*a*) appoint all members of the administrative, supervising and inspecting staff, including clerks and attendance officers, except the Administrative Officer, and all members of the teaching staff other than those appointed by the Administrative Officer;

(*b*) grant leave (other than casual leave) to the administrative, supervising and inspecting staff except the Administrative Officer and make the necessary acting arrangements;

(*c*) have power to punish and for serious misconduct or gross inefficiency to dismiss after a full inquiry any officer or clerk, except the Administrative Officer, provided that such officer or clerk shall have the right to appeal to the local authority, and if he is an officer or clerk lent by Government, the *previous* sanction of Government shall be obtained before an order of dismissal is passed;

(*d*) have power to dispense with the services of any officer or clerk, except the Administrative Officer, if such officer or clerk has

been lent by Government, provided that six months' previous notice has been given to the Government;

(*e*) have power to fine, reduce or suspend all teachers other than assistant teachers;

(*f*) have power for serious misconduct or gross inefficiency and after a full inquiry to dismiss any teacher appointed after the Act has come into operation, provided that such teacher shall have the right of appeal to the local authority against any order of dismissal;

(*g*) recommend to the local authority the dismissal of any teacher taken over by it under section 8 (*1*) of the Act when it considers such a course to be necessary;

(*h*) sanction the pension in consultation with the Accountant-General, to teachers taken over under section 8 (*1*) of the Act, provided that a teacher shall have the right of appeal to the local authority against any reduction of the pension as certified by the Accountant-General.

Explanation.—The dismissal of any officer, clerk or teacher as aforesaid may involve the loss of the whole or part of any pension which may be admissible to such officer, clerk or teacher or of such portion of his Provident Fund as is contributed by the local authority.

Duties of School Board.

35. The School Board shall—

(*a*) determine the school hours and the number and duration of vacations, in consultation with the local school committees, if any;

(*b*) determine the curriculum to be followed, if alternative curricula have been framed by Government, or propose such modifications in any curriculum as it may deem necessary, and shall select the text-books to be used in the schools managed by the local authority from the list of books sanctioned by Government or from other books with the approval of Government;

(*c*) sanction all tenders for the supply of books, furniture or equipment.

School Board to give effect to certain provisions of the Act.

36. The School Board shall—

(*a*) give effect to the compulsory provisions of sections 18, 20 and 22 of the Act;

(*b*) decide whether the instruction, which a child for whom exemption from attending an approved school is claimed is receiving, is efficient and arrange for the examination of a child for whom exemption is claimed on the ground of his having completed his elementary education under section 19 (*b*) of the Act;

(*c*) recommend to Government the distance to be fixed by Government under section 19 (*c*) of the Act.

412—537—6-34—Q16 Corr. Slip to Edcl. 198 e.
G. R., E. D., No. S-96, dated 2-5-34.]

Educational Department

Bombay Castle, 2nd May 1934

10 No. S-96.—In exercise of the powers conferred by sub-section (*1*) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased further to amend the Bombay Primary Education Rules, 1924, published in Government Notification in the Educational Department, No. 2534, dated the 10th October 1924, as follows, namely:—

The full stop at the end of clause (*h*) of rule 34 of the said rules *shall be replaced* by a semicolon and the following clause *shall be inserted* between the said clause (*h*) and the *Explanation*, namely:—

"(*i*) sanction changes in dates of birth and in names of pupils attending primary schools after full investigation into the circumstances necessitating the changes and recording in writing the reasons for the changes."

By order of the Government of Bombay,
(Transferred Departments),

H. F. KNIGHT,
Officiating Secretary to Government.

37. The School Board shall arrange for the inspection and annual examination of schools managed by the Local Authority and for the inspection of approved schools as well as examination of standard IV in approved A class schools, and shall award grants-in-aid to approved schools in accordance with the rules. The date of the annual examination of standard IV shall be communicated to the Government Inspecting Officer one month before the examination is to be held.

School Board to frame regulations for inspection of schools etc.

38. If a local authority wishes to introduce any of the subjects of instruction detailed in section 27 (3) (*a*), (*b*), (*c*) and (*f*) of the Act, the School Board shall frame the necessary schemes for such instruction.

Board to frame schemes for instruction.

39. The School Board shall undertake the management of such educational institutions other than primary schools as may be entrusted to it by the local authority. The School Board shall also consider the question of adult education, i.e., the further education of former pupils after they have left school, and shall make such proposals as may be found necessary in this respect to the local authority.

Management of educational institutions other than primary schools.

39A. A School Board shall not allow the buildings, compound or outhouses of any school or institution subject to its control or management under the provisions of rule 32 or 39 to be used for the purpose of any speech, meeting or demonstration, of a political character.

Prohibition of use of school buildings for political purposes.

40. A School Board may delegate any of its powers or duties to any officer subordinate to it, provided that without the previous sanction of the School Board no action shall be taken by such officer, which may involve expenditure in excess of that provided for in the Budget or increase the liability of the local authority in future years.

Delegation of powers.

CHAPTER III

The Administrative Officer of the School Board

The Administrative Officer shall be the Chief Executive Officer of the School Board. Section 9 (*1*)

Note.—The rules in this chapter, which are framed under section 27 (*1*) (*a*) of the Act, are intended to be in force only until rules framed by the local authority under section 9 (*1*) of the Act are sanctioned by Government.

Powers of Administrative Officer.

41. The Administrative Officer shall—

(*a*) supervise and control the educational staff of the local authority;

(*b*) appoint, promote or transfer, without the previous sanction of the School Board, all assistant teachers and menials;

(*c*) appoint, promote or transfer, with such sanction in each case or with the general sanction of the School Board, any other officer, teacher or clerk, except a supervisor;

(*d*) (*i*) fine, reduce or suspend any assistant teacher, subject to a right of appeal to the School Board, or recommend to the School Board the dismissal of any assistant teacher when in the opinion of the Administrative Officer such dismissal is necessary;

(*ii*) fine, reduce, suspend or dismiss any menial, subject to a right of appeal to the School Board;

(*e*) grant leave to any assistant teacher;

(*f*) grant casual leave to any member of the educational staff;

(*g*) [*Cancelled.*]

(*h*) prepare the pension papers of all teachers taken over by the local authority under section 8 (*1*) of the Act.

Duties of Administrative Officer with respect to schools.

42. (*a*) The Administrative Officer shall be responsible for—

(*i*) the general administration of all primary schools managed by the local authority and for their annual examination;

(*ii*) the inspection of all approved schools.

(*b*) He shall make recommendations to the School Board for the payment of grants to approved schools.

(*c*) He shall inspect and visit as many schools as possible.

Other duties of Administrative Officer.

43. The Administrative Officer shall—

(*a*) act as Secretary of the School Board;

(*b*) keep the account of all receipts and expenditure in connection with primary education, maintain the necessary records of service etc., and have custody of all papers and documents relating to the work of the School Board;

(*c*) arrange for the punctual payment of all officers, clerks, teachers and menials;

(*d*) prepare the annual budget and the annual statement of receipts and expenditure.

CHAPTER IV

Staff to be employed by Local Authorities

A—General

Staff to be employed by local authority.

44. (1) The School Board shall prepare a schedule which the local authority shall sanction, with or without modifications, of the staff permanently required, setting forth the designations, grades and pay of the different members of the staff. This schedule shall be revised annually.

In addition, the School Board may with the sanction of the local authority employ such temporary staff as may be required, provided

G. R., E. D., No. S-96, dated 4-4-34.] Corr. Slip to Edcl. 198 c.-

EDUCATIONAL DEPARTMENT

Bombay Castle, 4th April 1934

8 No. S-96.—In exercise of the powers conferred by sub-section (*1*) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased further to amend the Bombay Primary Education Rules, 1924, published in Government Notification in the Educational Department, No. 2534, dated the 10th October 1924, as follows, namely:—

For clause (*i*) of sub-rule (2) of rule 47 of the said rules the following *shall be substituted*, namely:—

"(*i*) Guaranteed teachers electing to join the Provident Fund of a Local Authority shall be entitled to such pension or gratuity from Government, or from Government and the Local Authority, as the case may be, payable on retirement from the service of the Local Authority, as they would have been entitled to if they had been invalided on the date on which they exercise the option, and such further sum from the Local Authority to be payable on retirement from the service of the Local Authority as may stand to their credit in the Provident Fund Account, subject, however, to the conditions laid down in the Rules regulating the Provident Fund established by the Local Authority. The amount of such pension or gratuity payable by Government and by the Local Authority respectively shall be determined according to the method indicated in the Bombay Civil Services Rule 279B or Civil Service Regulations Articles 45 and 799, and shall be based on the emoluments drawn immediately prior to the date of their joining the Provident Fund."

By order of the Government of Bombay,
(Transferred Departments),

H. F. KNIGHT,
Officiating Secretary to Government.

that the period of appointment of a temporary staff shall not exceed three years except with the sanction of Government.

(2) No officer or clerk of a School Board shall be employed permanently by a Local Authority, unless he produces a medical certificate of physical fitness signed by an officer of the I. M. S. or B. M. S., or by an officer of the Bombay S. M. S. in charge of a dispensary, or by the Medical Committee or Medical Officer of Health of the Local Authority. The medical examination shall be free of charge.

Leave to staff and contributions to be paid on account of leave allowances.

45. (1) Leave contributions shall be paid by a local authority to Government in respect of all officers and clerks holding a permanent appointment under Government, whose services have been or may be lent to the local authority. The grant of leave to such officers and clerks shall be regulated by the rules applicable to the Government Service to which they belong.

(2) The grant of leave and the fixing of leave allowances to all other officers, clerks, teachers and menials, including the primary teachers handed over to a local authority under section 8 (*1*) of the Act, shall be determined by regulations made by the local authority with the sanction of the Government. Pending the issue of these regulations the grant of leave and the fixing of leave allowances to the abovementioned officers, clerks, teachers and menials shall be determined by the leave regulations prescribed by Government for similar classes of Government employees.

Travelling allowances.

46. In the absence of regulations, which may with the sanction of Government be framed in this behalf by a local authority, travelling allowances shall be paid to the administrative, teaching, inspecting and supervising staff at the rates laid down in the subsidiary rules by Government under the Fundamental Rules.

Pension contribution to Government; institution of provident fund.

47. (1) Pension contributions shall be paid by a local authority to Government on behalf of all officers, or clerks, holding a permanent appointment under Government, whose services have been or may be lent to the local authority.

(2) Every primary school teacher taken over and employed by a Local Authority under sub-section (*1*) of section 8 of the Act shall be eligible for pension as provided in the rules in force in the Government Educational Department on the date of his retirement unless he has exercised the option, within the prescribed period, of remaining under the old rules to which he was previously subject; provided that such of the said teachers as have under rule 5 (*2*) of these rules, exercised the option of joining the provident fund established by the local authority in lieu of pension shall, from and after the date of their exercising such option, be entitled to the benefit of such provident fund only, as shown below :—

(*i*) Guaranteed teachers electing to join the provident fund of a Local Authority shall be entitled to such pension or gratuity from

Government, payable on retirement from the service of the Local Authority, as they would have been entitled to in the event of their being invalided on the date from which they exercise the option, and such further sum from the Local Authority to be payable on retirement from the service of the Local Authority as may stand to their credit in the provident fund account, subject, however, to the conditions laid down in the rules regulating the provident fund established by the Local Authority.

(*ii*) Guaranteed teachers not electing to join the provident fund of the Local Authority and for whom a Pension Fund has been established by the Local Authority with the sanction of Government shall be entitled to receive such pension from Government and the Local Authority (e. g. Retiring, Superannuation, etc.) as is admissible under the rules and as may be certified by the Accountant-General. The amount of such pension payable by Government and by the Local Authority respectively will be determined according to the method indicated in the Bombay Civil Services Rule 279-B.

(3) The local authority shall make provision for pension or institute a provident fund for all other officers, clerks, teachers and menials according to the rules approved by Government in this behalf.

Prohibition of staff of local authorities from participation in political movements and elections to local and legislative bodies.

47A. (1) Subject to the provisions of any regulation made by the local authority with the sanction of Government under section 27 (*3*) of the Act, a member of the teaching, inspecting and supervising staff employed by a local authority shall not take part in or subscribe in aid of any political movement in India or any political movement relating to Indian affairs. In enforcing the observance of this rule a local authority shall comply with such directions as the Director of Public Instruction may issue from time to time in this behalf.

(2) A member of the teaching, inspecting or supervising staff employed by a local authority shall not canvass or otherwise interfere or use his influence in connection with or take part in any election to a legislative body, whether in India or elsewhere, provided that if such person is qualified to vote at such election, he may exercise his right to vote, but if he does so, shall give no indication of the manner in which he proposes to vote or has voted.

(3) A member of the teaching, inspecting or supervising staff who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for purposes of sub-rule (2) to take part in an election to such body.

(4) The provisions of sub-rule (2) shall apply also in the case of an election to any municipal council, local board, school board or other elective local body.

B—Administrative, Inspecting and Supervising Staff

Appointment of inspecting and supervising staff.

48. A local authority shall provide an inspecting and supervising staff on the following scale:—

(*i*) If the local authority is a District Local Board not less than one Supervisor shall be appointed for every 150 approved schools or for every 6,000 pupils in such schools. In Sind not less than one Supervisor shall be appointed for every 100 approved schools or for every 4,000 pupils in such schools.

(*ii*) If the local authority is a Municipality it shall not be necessary to employ a Supervisor unless the number of approved schools exceeds 75 or the number of pupils in such schools exceeds 9,000. If the number of approved schools or of pupils exceeds these numbers, Supervisors shall be employed at the rate of one Supervisor for every additional 100 schools or for every additional 12,000 pupils in such schools.

Joint appointment of Supervisor.

49. (1) If the number of pupils in any class of schools, e.g., Urdu schools, or girls' schools, is not sufficient to justify the appointment of a separate Supervisor, two or more local authorities may jointly employ a Supervisor for such schools, provided that in the case of District Local Boards no Supervisor of Urdu School shall be appointed for more than two districts.

(2) If there are religious or social prejudices against a man visiting or inspecting any girls' schools, and if there are not sufficient pupils to justify the appointment of a Lady Supervisor, or if no suitable woman is available for such an appointment, the inspection of the schools may be entrusted to the Government Inspectress, if there is one, provided she is able to undertake the work.

Pay of supervising and inspecting staff.

50. The pay of a Supervisor shall not ordinarily be less than Rs. 60 per mensem or more than Rs. 250 per mensem.

Note.—The following scales of pay are suggested for the inspecting and supervising staff employed by a local authority, namely:—

(*i*) For graduates Rs. 80—5—120—10—250.

(*ii*) For matriculates or persons who have passed the School Leaving Examination Rs. 70—4—110—5—150.

(*iii*) For trained primary teachers Rs. 60—4—120 provided that on first appointment trained primary teachers shall start in their scale at a point equal to their pay as primary teachers *plus* the Head Master's or the first assistant teacher's allowance drawn by them at the time of their selection for appointment as supervisors. If the pay so calculated falls between two stages of the time-scale it shall be raised to the next higher stage in the time-scale.

Qualification of Supervisor.

51. (1) No person shall ordinarily be appointed as a Supervisor, unless he possesses one of the following qualifications:—

(*a*) the Secondary Teacher's Certificate;

(*b*) the Secondary Training College Diploma or a degree in teaching of a Statutory University; or

(*c*) ten years' experience as a secondary teacher or 15 years' as a primary teacher in an approved school or other school recognized by Government, provided that if his experience has been in a primary school he shall also hold the II or III year Certificate of a Government Primary Training College or a certificate of having been trained in the primary training college approved by Government.

(2) In any special case in which it is considered desirable to appoint as Supervisor a person who does not possess any of the qualifications referred to in sub-rule (1) but who is otherwise suitable for such appointment, the local authority shall obtain the approval of the Director of Public Instruction before making the appointment. The Director of Public Instruction may give or refuse his approval on the merits of the case.

Number of primary teachers appointed as Supervisors.

52. The number of Supervisors selected from the ranks of primary teachers qualified under rule 51 (*c*) shall not exceed two-thirds of the total number of Supervisors.

Employment of clerks and menials.

53. A local authority shall employ such clerks and menials as may be necessary, and shall determine their pay and terms of employment.

The following conditions shall be fulfilled before new appointments of clerks are made or the existing ones are confirmed :—

(*a*) All new entrants shall pass the Accounts Clerks' examination within three years of recruitment. They shall be on probation and shall not be given any increment until they pass the said examination. Failure to pass the said examination within the said period shall entail loss of appointment

(*b*) No clerk already in service shall be promoted to a higher grade unless he has either passed the Accounts Clerks' examination or been exempted by the Local Authority under which he is serving, such exemption being granted for reasons recorded in writing which shall be subject to comment by the Examiner, Local Fund Accounts, in his audit notes.

(*c*) No person shall, after the 1st January 1932, act as accountant of a School Board for more than six months or be confirmed in the said post, nor shall an accountant, who has been confirmed before that date, be allowed to draw any increment on the rate of pay drawn by him on that date, unless he has passed the School Board Accountants' examination or obtained a certificate of competency from the Examiner, Local Fund Accounts, or been granted full or partial exemption from these provisions by the Director of Public Instruction with the concurrence of the Examiner, Local Fund Accounts, on the recommendation of the School Board and the local authority under which he is serving. In case the Director of Public Instruction and the Examiner, Local Fund Accounts, disagree the case shall be submitted to Government for their orders.

C—Teaching Staff

Qualified primary teachers to be employed.

54. (1) Only qualified primary teachers shall be employed by a local authority so far as such teachers are available.

Explanation.—A qualified teacher is one who has passed the Vernacular Final Examination or such other examination as may from time to time be accepted by Government in lieu thereof.

(2) No unqualified teacher shall be appointed permanently to a post if a qualified teacher is available for the post.

(3) Without the special sanction of Government the number of unqualified men teachers shall in no case be allowed to exceed 5 per cent. of the total number of such teachers, and of unqualified women teachers 15 per cent. of the total number of such teachers.

(4) No teacher shall be appointed permanently by a local authority, and no candidate, other than a teacher in the permanent service of a local authority, shall be deputed to a primary training institution by a local authority, unless he produces a medical certificate of physical fitness signed by an officer of the I.M.S., or B.M.S. or by an officer of the Bombay S.M.S. in charge of a dispensary or by the Medical Committee or Health Officer of a local authority. The Medical Examination shall be free of charge.

Age limit for primary teachers.

55. (1) Except with the sanction of the School Board a primary teacher shall not be appointed permanently to a post unless his age is more than 18 and less than 25 years.

(2) A primary teacher shall ordinarily retire at the age of 55 years. An extension of service of not more than one year at a time up to the age of 60 years may be granted by the School Board on public grounds only subject to the sanction of the local authority. No extension of service after this age shall be permitted without the sanction of Government in the case of teachers taken over by a local authority under section 8 (*1*) of the Act, or of the local authority in the case of teachers appointed after such date as may be fixed by Government under section 4 (*1*) of the Act.

Temporary appointments of teachers.

56. The number of teachers holding temporary appointments shall not ordinarily exceed 20 per cent. of the total number of teachers, and as far as possible no teacher shall be retained in a temporary appointment for more than three years. No teacher shall, however, be deemed to hold a permanent appointment unless he has been definitely appointed to fill a permanent vacancy in the cadre.

Number of pupils: shift system.

57. (1) The number of pupils on the rolls of a class and if a teacher is in charge of more than one class, the total number of pupils on the rolls of all such classes shall not exceed 40.

(2) In schools in which the number of pupils exceeds 200, an extra teacher shall be employed in addition to the ordinary class teachers provided in accordance with sub-rule (1).

Note.—The "Shift" system, by which half the pupils attend school in the morning and the remainder in the afternoon, the same teachers attending at both sessions, may be adopted for classes up to Standard III in accordance with regulations framed under section 27 (*3*) of the Act, provided that in such cases no teacher shall be entrusted with more than two classes during either session.

Proportion of trained teachers.

58. Of the teachers employed by the local authority not less than 50 per cent. or such other proportion as may from time to time be fixed by Government shall be trained teachers and not less than 15 per cent. or more than 30 per cent. of the total number of teachers employed by the local authority shall hold the II or III year training college certificate. If the number of trained teachers is below the minimum prescribed by Government the local authority shall arrange by providing such stipends as may be necessary or otherwise for the training of a sufficient number of teachers every year so that the prescribed proportion of trained teachers may be attained by 1928-29 and thereafter maintained, due allowance being made for expansion and wastage.

Rates of pay for teachers.

59. (1) Primary teachers taken over and employed by a local authority under section 8 (*1*) of the Act shall be paid at the rates in force for Government service at the time of their being so taken over and employed.

(2) With regard to other primary teachers employed by a local authority, the pay of an unqualified teacher or of a temporary qualified assistant teacher shall not be less than Rs. 15 per mensem and shall not without the sanction of Government be more than Rs. 20 per mensem in the case of the former and Rs. 25 per mensem in the case of the latter.

The initial or minimum pay of a permanent qualified assistant teacher shall not without the sanction of Government be less than Rs. 18 per mensem or more than Rs. 25 per mensem and his final or maximum pay shall not be less than Rs. 25 per mensem or more than Rs. 40 per mensem without the sanction of Government.

For a trained teacher the limits of pay shall except as otherwise sanctioned by Government be as follows:—

	Initial or minimum pay.	Final or maximum pay.
I Year.	Not less than Rs. 20 and not more than Rs. 30.	Not less than Rs. 35 and not more than Rs. 50.
II Year.	Not less than Rs. 25 and not more than Rs. 35.	Not less than Rs. 45 and not more than Rs. 60.
III Year.	Not less than Rs. 30 and not more than Rs. 40.	Not less than Rs. 55 and not more than Rs. 70.

In the case of Sind all the limits prescribed above as minima and maxima shall be increased by Rs. 5 per mensem.

The scales of pay shall be so framed that a teacher may rise to the final or maximum pay in not more than 25 years.

A Head Master shall get such allowance, if any, as is in force for Government service on the date of the Act coming into operation.

(3) Allowances may be given with the sanction of Government in areas which are specially expensive, unhealthy or in which suitable local teachers are not available.

Notes.—1. It shall be clearly stated to primary teachers at the time of their engagement that the scales of pay offered are liable to reduction if there is a material fall in the cost of living.

2. The local authorities may, with the previous approval of Government, adopt permanent scales of pay of primary teachers in the light of the scales mentioned in the second proviso to rule 109.

Student-teachers.

60. A local authority may appoint student-teachers with a view to training them as teachers. Such student-teachers should have passed the Vernacular Final Examination or other examination qualifying for service as a primary teacher and should be attached to schools with specially selected Head Masters. They should attend the school for at least four hours daily, of which not less than two hours should be devoted to training in the art of teaching.

Student-teachers should ordinarily be appointed for one year; but the period may be extended to two years. They should be paid at such rates as the local authority may determine. Service as a student-teacher shall be treated as purely temporary and shall not count for leave, pension, or increments.

Pupil-teachers.

61. In localities in which qualified teachers are not available for any class of school, e.g., for Urdu or girls' schools, a local authority may appoint pupil-teachers with a view to their preparing for the Vernacular Final or other qualifying examination, while taking part in the work of the school.

Such teachers should have passed Vernacular Standard VI (in the case of women Standard V in the Presidency, and Standard IV in Sind). They should attend the school for the whole of the school day but shall not teach for more than two hours daily.

Pupil-teachers shall ordinarily be appointed for one year, but the period may be extended to two years. They shall be paid at such rate as the local authority may determine. Service as a pupil-teacher shall be treated as purely temporary, and shall not count for leave, pension, or increments.

CHAPTER V

Accommodation, Equipment, Courses of Instruction, Attendance, etc.

[*N.B.*—The rules in Sections A, B and C of this Chapter apply to all approved schools (*vide* Chapter VI), whether managed by or aided by a local authority or not.

The rules in Sections D and E apply only to schools managed by a local authority but will serve as a guide to other approved schools, except that rule 76 applies to all schools as far as the Grant-in-aid Code is concerned.]

A—Accommodation

Minimum space in class room.

62. Not less than 8 square feet of space shall be provided in each class room (excluding verandahs), for each pupil on the rolls of the class.

62A. In the case of school buildings constructed after the 1st August 1930, the minimum height of the walls shall be 10 feet from the floor to the underside of the tie beam and in case ceilings are provided the minimum height of the walls shall be 12 feet from the floor.

Minimum height of walls in certain School Buildings.

Provision of latrines and urinals

63. An adequate number of latrines and urinals shall be provided.

and of a playground.

64. A playground shall also be provided.

B—Equipment

Supply of furniture.

65. The necessary articles of school furniture, e.g., a chair, a table, a blackboard shall be supplied in each class room.

Supply of text-books, etc.

66. The necessary textbooks for the use of the teachers, maps, charts and apparatus shall also be supplied.

Libraries.

67. Books for teachers' and pupils' libraries shall be supplied as funds permit.

Supply of books, etc., to poor children.

68. Books, slates and other school materials may be provided for the children of parents who are unable to pay for them.

C—Subjects of Instruction

Bombay Primary Education Act, 1923, section 17.

The subjects, curricula, books and standards of teaching of approved schools and other primary schools maintained or aided by a local authority shall be as prescribed but may be altered by the school board with the sanction of the Government to suit local requirements.

Courses of study.

69. The courses of study given in the Marathi, Gujarati, Kanarese, Urdu-Vernacular, Vernacular-Urdu "Standards" and in the syllabus of studies for primary schools in Sind shall be followed until such time as new courses of study are published, but the School Board may adopt modified courses of study with the sanction of Government.

Use of sanctioned books.

70. Except with the previous approval of Government no book, periodical, newspaper or other publication not on the list of books, periodicals, newspapers and publications sanctioned by the Government Educational Department in this behalf shall be used.

Sanction of Government for special courses.

71. A local authority which wishes to introduce any of the subjects of instruction detailed in section 27 (3) (*a*), (*b*), (*c*) and (*f*) of the Act, viz., (*a*) courses of practical instruction suitable to local needs, (*b*) the instruction in experimental science, modelling nature study, manual training, and prevocational work including household science, of children of any age receiving primary education, (*c*) the physical and moral training of children of any age receiving primary education, (*f*) prevocational courses as a part of upper primary education, shall first submit a scheme for the sanction of Government and shall not introduce such subjects unless the sanction of Government has been obtained.

72. Religious instruction, including the teaching of the Koran, may be given in schools managed by a local authority, provided that (1) there is no local objection to such instruction, (2) the attendance of pupils is optional and (3) the time devoted to it "is not" included in the hours of instruction prescribed in rule 73.

Religious instruction.

D—Attendance

To "attend" an approved school means to be present for instruction at such school on such days and at such time and for such periods on each day as may be required by the school board with the approval of the Government.

Bombay Primary Education Act, 1923, section 2.

73. The School Board after consulting the local School Committee, if any, shall fix the hours during which each school shall be open. The hours of instruction shall not be less than three or more than four per diem in the case of pupils of an Infant Class or Standard I, nor less than four or more than six in the case of other pupils. No school shall give instruction for more than three consecutive hours at a time. These hours may be reduced in the case of schools in which the introduction of the "shift" system has been sanctioned.

School hours.

In every school Sunday shall be observed as a holiday; and a half holiday shall be given on one other day in the week. Friday may be substituted for Sunday in schools for Muhammadans, provided the majority of the parents of the pupils attending the school so desire.

74. The total period of the vacations in primary schools shall be not less than three weeks and not more than six weeks in each year. The School Board, after consulting the local School Committee, if any, shall fix the number of vacations to be given each year, the period of each, and the time at which it shall be given; provided that no vacation shall exceed four weeks in length. The Director of Public Instruction may sanction a vacation in excess of four weeks or a total period of vacation in excess of six weeks in each year to suit the special conditions of particular localities.

Vacations.

In addition to the vacations, other holidays not exceeding 35 days in the calendar year, may be sanctioned by the School Board, and one day's holiday may be given by the Administrative Officer or Supervisor immediately after the annual examination or inspection of a school.

75. In areas in which compulsory elementary education has been introduced, a child shall be required to attend the school on such days and at such times as it is open. Leave of absence for short periods may be given by the Head Master in case of sickness or for other good cause.

Attendance in areas where elementary education is compulsory.

76. The rules of the Grant-in-aid Code and of the Code of Regulations for Vernacular Masters and Mistresses regarding the admission and withdrawal of pupils, the registering of age and attendance and the issue of leaving certificates shall be followed, except in so far as these may be modified by regulations framed by a local authority under section 27 (*3*) (*d*) of the Act.

Application of Grant-in-aid Code and the Code of Regulations for Vernacular Masters and Mistresses.

E—Fees

77. Fees may be abolished at any time by a local authority in primary schools maintained by it, and by a Municipality which is not a local authority in such primary schools within the Municipal area as are managed by the District Local Board.

Fees.

78. The following shall be exempted from the payment of fees in primary schools managed by a local authority:—

Exemption from fees.

(*a*) All girls;

(*b*) Boys of the depressed classes as defined in schedule A;

(*c*) Boys whose parents satisfy the School Board that they are unable to pay the school fees;

(*d*) The sons of Indian soldiers and followers who have died or been incapacitated while on active service in the Great War;

(*e*) The sons of Indian soldiers in the combatant branches of the Army;

(*f*) The sons of women teachers whose pay is Rs. 100 or less.

The powers of the School Board in respect to (*c*) may be delegated by the School Board to the local School Committee.

CHAPTER VI

Approved Schools

Bombay Primary Education Act, 1923, section 2.

"Approved school" means a school or part of a school in which instruction in elementary education is given and which is for the time being approved by the school board or by the Government on appeal from a decision of the school board refusing approval.

Section 16 (*1*).

Every approved school and every primary school maintained or aided by a local authority shall be open during school hours to inspection by the inspecting officers of the Government and of the local authority, for the purpose, in particular, of ascertaining—

(*a*) *Whether instruction is given as prescribed or sanctioned under section 17;*

(*b*) *whether any instruction of a pernicious nature is given;*

(*c*) *whether the provisions of the Act for the compulsory attendance of children are being carried out; and*

(*d*) *whether the prescribed registers and records are being maintained.*

331—537—6-34—Q16 Corr. Slip to Edcl. 198 e.
G. R., E. D., No. S-96, dated 23-4-34.]

NOTIFICATION

Educational Department

Bombay Castle, 23rd April 1934

9 No. S-96.—In exercise of the powers conferred by sub-section (*1*) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased further to amend the Bombay Primary Education Rules, 1924, published in Government Notification in the Educational Department, No. 2534, dated 10th October 1924, as follows, namely:—

For the words "of Regulations for Vernacular Masters and Mistresses" occurring in the marginal heading and in the text of rule 76 of the said rules, the words "for Primary School Teachers and Training Institutions" *shall be substituted.*

By order of the Government of Bombay,
(Transferred Departments),

H. F. KNIGHT,
Officiating Secretary to Government.

The school board in respect of any such school maintained by a local authority, and the manager of any other such school shall furnish such returns and supply such information as the Government or the local authority may from time to time require. Section 16 (2).

The subjects, curricula, books and standards of teaching of approved schools and other primary schools maintained or aided by a local authority shall be as prescribed but may be altered by the school board with the sanction of the Government to suit local requirements. Section 17.

In every area of compulsion the parent of every child to whom a scheme applies shall in the absence of a reasonable excuse as hereinafter provided and if such parent and child ordinarily reside in such area cause such child to attend an approved school in such area. Section 18.

A parent shall be deemed to have a reasonable excuse for failure to cause a child to attend an approved school in any of the following cases; Section 19.

(e) where there is no approved school in the locality in which instruction is given in the vernacular of the child;

(f) where there is no approved school in the locality to which the parent can send the child without exposing it to religious instruction to which the parent objects.

79. The term "approved school" includes a school or part of a school maintained by a local authority, in which elementary education is given.

Approved schools.

80. Approved schools shall be divided into two classes, A and B. Class A shall comprise those schools in which the ordinary primary standards are followed. This class shall include the primary schools managed by the local authority, and primary schools similar to those which have previously been recognized under Chapter II of the Grant-in-aid Code. It shall also include night schools which comply with the requirements of class A schools prescribed in rule 82.

Class B shall comprise those schools in which a lower standard of instruction is maintained. This class shall include indigenous schools, e.g., Mulla schools in Sind, night schools (other than those approved as class A schools) and other schools similar to those which have previously been recognized under Chapter III of the Grant-in-aid Code.

Pernicious instruction not to be given.

81. No school shall be approved in which any instruction of a pernicious nature is given.

Requirements of A Class Schools.

82. No school shall be approved by the School Board as a Class A School unless it conforms generally to the conditions regarding staff, accommodation, equipment and courses of instruction laid down in Chapter IV, Section C and in Chapter V, Sections A, B and C of these rules, and unless the managers agree to follow the rules of the Grant-in-aid Code or such other regulations as may be made by the School Board with the sanction of the local authority and of Government.

Requirements of B Class School.

83. No school shall be approved by the School Board as a Class B School unless it—

(*i*) follows a regular course of secular primary instruction, approved by the School Board with the sanction of Government,

(*ii*) maintains, except in the year in which it was opened, an average attendance of 15 pupils in the case of an ordinary primary school and 10 in the case of Urdu schools and schools for girls, depressed classes and aboriginal tribes,

(*iii*) keeps an attendance register in the prescribed form and the managers agree to submit such simple returns as Government or the local authority may call for,

(*iv*) agrees to inspection by Government and by the local authority.

Withdrawal of approval of A Class School.

84. Approval as a Class A School may be withdrawn by the School Board at any time, subject to an appeal to Government, if any of the conditions on which the school was approved is not observed, or if the standard of instruction falls materially below the level obtaining in the schools managed by the local authority, or for other reasonable and sufficient cause, provided that due warning has been given to the managers of the school, and that reasonable time has been allowed to them to carry out the requirements of the School Board.

Of B Class School.

85. Approval as a Class B School may be withdrawn at any time by the School Board subject to an appeal to Government for any reasonable and sufficient cause or if any of the conditions on which the school was registered is not observed.

Grants-in-aid to approved schools.

86. An approved school which applies for a grant-in-aid shall be aided by a local authority so far as the funds at the disposal of that authority allow, provided that such school supplies a want in the locality, and provided that no school shall be aided, which, being the only school of its class in the locality, makes attendance at religious instruction of one community, compulsory for pupils belonging to other religious communities. An approved school which was in receipt of a grant from Government at the time when the Primary Education Act came into operation shall be aided by the local authority, provided it continues to conform to the conditions laid down in rule 82 or rule 83 as the case may be.

No grant-in-aid to be made to a school conducted for profit.

87. No school shall be aided which, in the opinion of a local authority, is conducted for profit.

Explanation.—This does not preclude a *bona-fide* teacher from conducting a school and receiving reasonable remuneration for his services as a teacher in the school.

Assessments of grants-in-aid.

88. The grant-in-aid to an approved school shall be sanctioned by the School Board after consideration of the report of the Administrative Officer; provided that in the case of schools of a special class, such as the Mulla Schools in

Sind, the grant shall, if Government so direct, be assessed by an inspecting officer of the Government Educational Department. The grant to a primary school which is maintained as part of a training institution aided by Government shall be paid by Government.

Grants to class A schools.

89. The grant which may be awarded in any year to an approved class A school shall be based on the average monthly number of pupils on the rolls in the preceding year, i.e. on the average number of pupils on the rolls on the 15th day of each month of the year, and shall be subject to the following maxima—

(*a*) The capitation grant for each pupil shall not exceed two-thirds of the average recurring cost of each pupil in the schools maintained and managed by the local authority in the preceding year and shall also be subject to a maximum of Rs. 10 per pupil. This maximum may be raised to Rs. 12 if no fees are charged in the school.

(*b*) The capitation grant may be increased by 25 per cent. in the case of pupils attending a school for the children of the depressed classes.

(*c*) The grant payable to any school shall not however exceed the approved net recurring expenditure of the school in the preceding year, i.e. the actual expenditure less the fee receipts and the grants received from a District Local Board or a Municipality other than the local authority and the income from endowments.

Explanation.—"Approved expenditure" means expenditure approved by the School Board which shall decide whether each item of expenditure is reasonable.

Reduction in maximum grant.

90. The maximum grant, payable to a Class A School, calculated according to the provisions of clauses (*a*) and (*b*) of rule 89 and subject to the limitation of clause (*c*) of the said rule, shall be proportionately reduced if

(*a*) the average daily attendance in the preceding year was less than 80 per cent. of the average monthly number of pupils on the rolls:

Example.—If the average daily attendance was 70 per cent. of the average monthly number on the rolls, seven-eighths only of the maximum grant will be admissible;

(*b*) the instruction imparted is insufficient in range or quality:

Example.—The instruction may be considered sufficient if 75 per cent. of the pupils are found fit for promotion, provided that a lower standard may be accepted in the case of pupils of backward or depressed classes;

(*c*) the proportion of pupils in the higher classes is insufficient;

(*d*) the accommodation is unsatisfactory on hygienic grounds or the equipment is inadequate, or the teaching staff is inadequate or insufficiently qualified;

(*e*) the school registers, records or accounts are not properly maintained or are found to be unreliable; or

(*f*) the managers do not furnish such returns or supply such information as may be required by Government or the local authority.

Maximum grant to class B schools.

91. The maximum grant which may be awarded in any year to a class B school shall be calculated on the average daily attendance in the previous year and shall not exceed an average of Rs. 4 per pupil. The maximum grant payable to a school under this rule shall in no case exceed Rs. 200.

Explanation.—This does not preclude different rates being fixed for pupils in different standards or belonging to different communities; as for example, Rs. 3 may be given for boys in the infant class, Rs. 4 for standard I, Rs. 5 for standard II, Rs. 6 for standard III, and the rates may be raised to Rs. 5 or Rs. 6 and so on for pupils of the depressed classes.

In assessing the grant, attention should be paid mainly to the range and quality of education but deductions should be made from the normal grant if the registers are not properly maintained or if the necessary returns have not been supplied to the local authority or to Government or if the management of the school is unsatisfactory.

The rates and maximum limit of grant specified in this rule shall not apply to Mulla Schools in Sind to which grants are awarded according to a special scale. The maximum limit of grant shall also not apply to night schools and muktabs.

Grants for buildings etc.

92. Grants may also be awarded to approved schools by the local authority on account of buildings and other non-recurring expenditure, provided that the expenditure has previously been sanctioned by the local authority and by Government. Such grants shall not exceed one-half of the actual or estimated cost, whichever is less, and a building grant shall not exceed Rs. 20, or such other rate as may from time to time be laid down by Government for each pupil who can be accommodated in the building at the rate of 10 square feet of class-room area per pupil.

Schools not approved not to send pupils for public examinations.

93. No school which is not approved shall present its pupils at any public examinations conducted by the Government Educational Department.

CHAPTER VII

School Committees

Bombay Village Panchayats Act, 1920, section 20 (*1*).

The Panchayat shall, subject to rules made by the district local board under this Act—(a) supervise the village school.

Note.—Rule 94 is intended to be in force only where no rules have been made by the District Local Board under section 20 (*1*) of the Bombay Village Panchayats Act, 1920. Rules 96—108 are intended to be in force only until regulations framed by the District Local Board under section 27 (*3*) (*d*) of the Bombay Primary Education Act, 1923, for the administration and management of primary schools are sanctioned by Government.

4204—993—3-34—Slips Corr. Slip No. 6 to Edcl. 198 e.
G. R., E. D., No. S.-96, dated 21-2-'34.]

NOTIFICATION

Educational Department

Bombay Castle, 21st February 1934

No. S.-96.— In exercise of the powers conferred by sub-section (1) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased further to amend the Bombay Primary Education Rules, 1924, published in Government Notification in the Educational Department, No. 2534, dated the 10th October 1924, as follows, namely :—

After rule 91 of the said rules the following rule *shall be inserted*, namely :—

"91A. *Grant to schools closed during a year.*—(1) The grant-in-aid sanctioned to an approved school in any year under rule 88 shall be payable only to a school which continues to be an approved school for a continuous period of six months in the said year.

(2) No portion of a grant-in-aid shall be paid if an approved school ceases to exist or to be an approved school before it is inspected under rule 83 (iv) in the year.

(3) The amount of a grant-in-aid payable to an approved school shall be reduced in proportion to the number of months in the year during which the approved school ceases to exist or to be an approved school."

By order of the Government of Bombay
(Transferred Departments),

R. P. EWBANK,
Secretary to Government

4. In rule 106 of the said rules, *after* the words "Head Master' the words "or his absence on leave or otherwise" *shall be inserted*

5. *For* rule 123 of the said rules the following *shall be substituted*, namely:—

"123. *Municipality to appoint School Committee for assisting School Board.*—(1) For the purpose of assisting the School Board in the management of primary schools, the Municipality shall as soon as possible after the School Board has been constituted under section 3 of the Act for the district in which such Municipality is situate, appoint a School Committee consisting of not less than three and not more than seven members who may or may not be councillors of the Municipality. Due representation on such Committee shall be given to Muhammadans and to backward and depressed classes.

(2) If in the opinion of the District Local Board, the Muhammadan population of the Municipal area exceeds 10 per cent of the total population of the Municipal area, and if no Muhammadan has been appointed to the Committee under sub-rule (1), the Committee shall co-opt a Muhammadan member from among the adult male Muhammadan residents of the Municipal area.

(3) If in the opinion of the District Local Board, the population of the depressed classes in the Municipal area exceeds 10 per cent of the total population and if no member of these classes has been appointed to the Committee under sub-rule (1), the Committee shall co-opt a member of the depressed classes from among the adult male residents of the depressed classes of the Municipal area.

(4) The School Committee appointed under sub-rule (1) shall be governed by the provisions contained in rules 95A to 108."

By order of the Government of Bombay (Transferred Departments),

R. B. EWBANK,

Secretary to Government.

3477—1,187—11-33—Q8*

NOTIFICATION

Educational Department

Bombay Castle, 17th October 1933

No. S-96.—In exercise of the powers conferred by sub-section (1) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased further to amend the Bombay Primary Education Rules, 1924 (hereinafter referred to as the said rules), published in Government Notification in the Educational Department, No. 2534, dated the 10th October 1924, as follows, namely:—

1. (*a*) In sub-rule (1) of rule 94 of the said rules *for* the words "shall appoint every year", the words "shall, as soon as possible after a School Board has been constituted under section 3 of the Act for the area in which the village for which the panchayat has been established is situate, appoint" *shall be substituted.*

(*b*) *After* sub-rule (3) of rule 94 of the said rules the following sub-rule *shall be added*, namely:—

(4) The School Committee appointed under sub-rule (1) shall be governed by the provisions contained in rules 95A to 108.

2. (*a*) Rule 95 of the said rules *shall be re-numbered* "95 (1)" and in the said rule as so re-numbered, *after* the word "shall" the words ", as soon as possible after the constitution of the said School Board," *shall be inserted.*

(*b*) *After* sub-rule (1) of rule 95 so re-numbered the following *shall be added*, namely:—

"(2) If in the opinion of the District Local Board the Muhammadan population of the village exceeds 10 per cent of the total population of the village, and if no Muhammadan has been appointed to the Committee under sub-rule (1) the Committee shall co-opt a Muhammadan member from among the adult male Muhammadan residents of the village.

(3) If in the opinion of the District Local Board, the population of the depressed classes in the village exceeds 10 per cent of the total population, and if no member of these classes has been appointed to the Committee under sub-rule (1), the Committee shall co-opt a member of the depressed classes from among the adult male residents of the depressed classes of the village.

(4) The School Committee appointed under sub-rule (1) shall be governed by the provisions contained in rules 95A to 108."

3. *After* rule 95 of the said rules, the following *shall be added*, namely:—

"95A. *Term of office of School Committee.*—The term of the School Committee shall be co-extensive with the term of the School Board. Provided that the members of the School Committee shall continue in office till a new School Committee has been appointed and on the appointment of the new School Committee the said members shall be deemed to have vacated office."

3806—1,076—3-34—Slips Corr. Slip to Edcl. 198 c.
G. R., E. D., No. S-96, dated 12-12-33.]

NOTIFICATION

Educational Department

Bombay Castle, 12th December 1933

4 No. S. 96.— In exercise of the powers conferred by sub-section (1) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased further to amend the Bombay Primary Education Rules, 1924, published in Government Notification in the Educational Department, No. 2534, dated the 10th October 1924, as follows, namely :—

For clause (*b*) of rule 97 of the said rules, the following *shall be substituted*, viz :—

"Assist the Head Master or the local authority, as the case may be, to carry out the current repairs of the school house, if the local authority is liable for such repairs."

By order of the Government of Bombay (Transferred Departments),

R. B. EWBANK,
Secretary to Government.

Constitution of School Committees in villages having Panchayat.

94. (1) In villages in which a Panchayat has been constituted under the Bombay Village Panchayats Act, 1920, the Panchayat shall appoint every year from among its own members a School Committee consisting of not less than three and not more than five members.

(2) If in the opinion of the District Local Board the Muhammadan population of the village exceeds 10 per cent. of the total population of the village, and if no Muhammadan has been elected to the Committee under sub-rule (1) the Committee shall co-opt a Muhammadan member from among the adult male residents of the village.

(3) If in the opinion of the District Local Board, the population of the depressed classes in the village exceeds 10 per cent. of the total population, and if no member of these classes has been elected to the Committee under sub-rule (1) the Committee shall co-opt a member of the depressed classes from among the adult male residents of the village.

Constitution of School Committees in villages without Panchayats.

95. In villages which contain a Local Board School, but in which no Panchayat has been constituted, the School Board shall appoint a School Committee consisting of not less than three and not more than seven members, due representation being given to Muhammadans and to backward and depressed classes.

Election of Chairman and Vice-Chairman.

96. The School Committee shall elect a Chairman from among its own members. The Committee shall also elect a Vice-Chairman who shall carry on the duties of the Chairman in his absence.

Duties of School Committee.

97. The School Committee shall—

(*a*) assist the School Board in securing suitable accommodation for the school;

(*b*) carry out the current repairs of the school house, if the local authority is liable for such repairs;

(*c*) visit all schools placed under its supervision at least once a month;

(*d*) see that the school registers are kept up to date, note whether the number of pupils in the school at the time of the visit corresponds with the number marked as present in the register and report any irregularity to the Administrative Officer of the School Board;

(*e*) report to the Administrative Officer of the School Board any irregularity or unpunctuality in the matter of the opening and closing of the school and of the masters' attendance;

(*f*) see that the school premises are in good repair and kept in a sanitary condition.

Visit by members of School Committee.

98. Any member of the School Committee may visit a school and report to the Committee any observation he may have to make, but no such member shall issue any orders to the teaching staff.

99. The School Committee shall endeavour to increase the number of pupils, especially of those belonging to the backward and depressed classes, and to improve the attendance.

School Committee to endeavour to increase number of pupils.

100. If it is proposed to introduce compulsion into any area, the School Committee of the schools in that area shall assist in explaining the measure to parents, and shall, if called upon to do so by the School Board, assist in the preparation of a census of children of school-going age.

School Committee to assist in introducing compulsory education.

101. When compulsion has been introduced into an area, the School Committee shall assist in enforcing it.

School Committee to enforce compulsion.

102. The School Committee shall assist the Head Master in determining which children shall be provided with books, slates and other school materials, on account of the poverty of their parents.

School Committee to assist the Head Master.

103. Before proceeding on casual or other leav the Head Master shall inform the Chairman of t School Committee in writing of his intention.

Report to Chairman of Head Master's leave.

104. In the event of the Head Master's sudden illness, or for otl very urgent reason, such as the death of n relative of the Head Master, the Chairman of t School Committee shall be authorized at his d cretion to allow him to leave his charge. shall at once report such action to the Administrative Officer of th School Board.

Chairman's authority to grant leave to Head Master.

105. The Chairman of the School Committee shall at once repo to the Administrative Officer of the School Boar the absence without leave of the Head Master an Assistant Master.

Absence without leave to be reported.

106. In the event of the death of the Head Master, if there Assistant Master, the Chairman of the S Committee shall take charge of the school report the matter at once to the Administ Officer of the School Board.

Chairman to take charge of the school in certain cases.

107. The Chairman and the members of the School Com shall, if possible, be present at the school time of the visit of any officer of the Educa or Revenue Department or of any mem officer of the Local Board or the School Boa

Schcol Committee to be present on certain occasions.

108. On the transfer of a Head Master, if there is any diff of opinion between the Head Master giving charge and the Head Master taking up cha regard to the school accounts, records, furnitu other equipment, the charge shall be handed in the presence of two or more members of School Committee including the Chairman, if he can attend. members present shall make such remarks as they think fit on charge report.

Charge of a school to be handed over in presence of School Committee in certain cases.

CHAPTER VIII

Grants to Local Authorities

(1) *If the scheme (for the provision of compulsory education in any area) is sanctioned the Government shall bear half of the additional recurring and non-recurring annual cost of the scheme if the local authority is a municipality and two-thirds of the said cost if the local authority is a district local board; but the liability of the Government shall not exceed half or two-thirds, as the case may be, as it was estimated by the local authority.* Bombay Primary Education Act, 1923, section 13.

(2) *Nothing in this section shall affect the claim of any local authority to any annual grant which at the time this Act comes into operation is being paid to it by the Government for purposes of primary education, provided that if the Government consider that the educational fund of any local authority has been or is about to be misused or misapplied, they may call upon such local authority for an explanation of such misuse or misapplication; and if not satisfied with the explanation given may make such reduction in the grants payable to such local authority as they deem proper.*

A—Recurring Grants

Grants how calculated.

109. The Government grant under section 13 of the Act on account of recurring expenditure on primary education shall ordinarily be calculated as follows:—

(*a*) *District Local Boards*

The grant in any year shall be not less than the grant on account of primary education fixed by Government with reference to sub-section (2) of section 13 of the Act *plus* two-thirds of the difference between the total approved recurring expenditure on primary education in the given year and the actual recurring expenditure on which the fixed grant was based.

(*b*) *Municipalities which are Local Authorities*

The grant in any year shall be half the total approved recurring expenditure on primary education in that year *plus* special grants to be determined by Government from time to time.

Provided that the award of grants at these rates either to a local Board or to a Municipality on account of expenditure on primary education other than the compulsory elementary education provided for in a scheme sanctioned under section 12 of the Act, shall depend on the financial condition of Government in that year.

Provided further that the following are the maximum scales of pay, which Government are prepared to admit for purposes of the grant, for the primary teachers, who were not permanent on June 30, 1923, or who, though permanently appointed before that date,

have qualified themselves subsequently for a higher scale of pay, namely :—

(i) Teachers employed by District Local Boards and Non-local Authority Municipalities in the Presidency proper

		Rs.
Unqualified teachers	...	15
Temporary qualified teachers	...	15
Permanent qualified but untrained teachers	...	20–$\frac{1}{3}$–25–$\frac{1}{2}$–30
1st year trained teachers	...	25–$\frac{1}{2}$–35–1–40
2nd year trained teachers	...	30–$\frac{1}{2}$–35–1–50
3rd year trained teachers	...	35–1–60

(ii) Teachers employed by District Local Boards and Non-local Authority Municipalities in Sind

		Rs.
Unqualified teachers	...	20
Temporary qualified teachers	...	20
Permanent qualified but untrained teachers	...	25–$\frac{1}{3}$–30–$\frac{1}{2}$–35
1st year trained teachers	...	30–$\frac{1}{2}$–40–1–45
2nd year trained teachers	...	35–$\frac{1}{2}$–40–1–55
3rd year trained teachers	...	40–1–65

(iii) Teachers employed by Local Authority Municipalities in the Presidency, including Sind

		Presidency proper Rs.	Sind Rs.
Unqualified teachers	...	20	25
Temporary qualified teachers	...	20	25
Qualified teachers	...	25–$\frac{1}{3}$–30	30–$\frac{1}{3}$–35
1st year trained teachers	...	30–$\frac{1}{3}$–35–$\frac{1}{2}$–40	35–$\frac{1}{3}$–40–$\frac{1}{2}$–45
2nd year trained teachers	...	35–$\frac{1}{2}$–45–1–50	40–$\frac{1}{2}$–50–1–55
3rd year trained teachers	...	40–$\frac{2}{3}$–50–1–60	45–$\frac{2}{3}$–55–1–65

Note 1.—In addition to the scales of pay mentioned in (*i*), (*ii*) and (*iii*) above Head Masters' and 1st Assistants' allowances will also be admissible.

Note 2.—Teachers who were appointed to act in permanent vacancies prior to June 30, 1923, and have subsequently been confirmed in those vacancies are to be treated in regard to pay and allowances in the same way as teachers who were permanent on June 30, 1923.

Grants to be based on estimated expenditure of the year: adjustments in following year.

110. The grant paid in any year shall be based on the estimated expenditure in that year, and the necessary adjustments shall be made in the following year.

Example.—The estimated expenditure of a District Local Board in 1925-26 is Rs. 4½ lakhs. The fixed grant given by Government as contemplated in rule 109 (*a*) is Rs. 2½ lakhs and the expenditure for which it is regarded as given is Rs. 3 lakhs.

3546—1,142—12-33—Q8*

NOTIFICATION

Educational Department

Bombay Castle, 27th October 1933

3 No. S-96.—In exercise of the powers conferred by sub-section (1) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased further to amend the Bombay Primary Education Rules, 1924 (hereinafter referred to as "the said rules"), published in Government Notification in the Educational Department, No. 2534, dated the 10th October 1924, as follows, namely:—

1. (*a*) In rule 110 of the said rules, *after* the word "year" where it occurs for the third time the following *shall be inserted*, namely:—

"Such estimated expenditure shall include any increase in recurring expenditure on account of the normal growth of such expenditure as well as any new expenditure sanctioned by Government."

(*b*) In the example to the said rule, *after* the figures and word "4½ lakhs" the words and brackets "(including expenditure on account of normal growth and new expenditure sanctioned by Government)" *shall be inserted*.

2. *For* rule 111 of the said rules, the following rule *shall be substituted*, namely:—

"111. (1) The estimated Government grant shall be paid to a local authority in three instalments in the following manner, namely:—

(*i*) half of such estimated grant not later than the 1st May in each year,

(*ii*) one-fourth of such estimated grant not later than the 5th October in each year, and

(*iii*) the balance, after the adjustments for the previous year have been made under rule 110, not later than the 15th January in the following year.

(2) The Director of Public Instruction shall send a copy of the orders sanctioning the payment of grants to local authorities to each of the following persons, namely:—

(*a*) the Accountant-General, Bombay,
(*b*) the Examiner, Local Fund Accounts, Bombay,
(*c*) the President of the Local Authority,
(*d*) the Chairman of the School Board,
(*e*) the Treasury Officer of the District, and
(*f*) the Educational Inspector of the Division."

3. *For* rule 147 of the said rules, the following rule *shall be substituted*, namely:—

"147. *Audit of Accounts.*—The accounts of receipts and expenditure of the Primary Education Fund shall be examined

and audited annually before the close of August by the auditors of the Local Audit Department in accordance with the provisions of the Bombay Local Fund Audit Act, 1930 (Bom. XXV of 1930), and the rules made thereunder."

4. Rule 148 of the said rules *shall be deleted.*

5. Rule 149 of the said rules *shall be re-numbered* as rule 148.

6. Rules 150 and 151 of the said rules *shall be deleted.*

By order of the Government of Bombay
(Transferred Departments),

R. B. EWBANK,
Secretary to Government,

The grant payable in 1925-26 will be $2\frac{1}{2}$ lakhs *plus* $\frac{2}{3}$ ($4\frac{1}{2}$ *minus* 3) lakhs or $3\frac{1}{2}$ lakhs in all.

After the end of 1925-26, it is found that the expenditure of the District Local Board in that year was Rs. 4,20,000, and the grant ought to have been Rs. 2,50,000 *plus* $\frac{2}{3}$ (Rs. 4,20,000 − 3,00,000) or Rs. 3,30,000. The difference of Rs. 20,000 will be deducted from the grant based on the estimated expenditure in 1926-27, payable in that year.

Grants when payable.

111. Half of the estimated Government grant shall be paid to a local authority not later than 1st May in each year and the balance, after the adjustments described in rule 110 have been made, shall be paid not later than the 1st November.

Items of expenditure on which grant is calculated.

112. The recurring annual expenditure on which the grant is calculated shall include:

(*a*) the cost of the necessary permanent and temporary administrative, supervising, inspecting and teaching staff, including clerks and menials and any special officers employed for enforcing attendance or taking a census of children or similar purposes, and such leave, pension or provident fund contributions as it is incumbent on the local authority to pay;

(*b*) Rent of buildings used for school or office purposes, rates, taxes, special repairs costing not more than Rs. 100 and not enhancing the original cost of the building, and current repairs. Special repairs costing not more than Rs. 100 and not enhancing the original cost of the building, current and ordinary repairs shall be carried out in accordance with the rules given in Part I of Schedule E appended to these rules.

Note.—The terms "current repairs" and "special repairs" used in this clause and subsequent rules shall have the same meaning as that given to them in the P. W. D. Manual.

(*c*) furniture, equipment and books, including prizes and books and slates for indigent pupils, provided that the total expenditure on this account in any school does not exceed Rs. 5 per pupil in the first year of a school's existence and Re. 1 per pupil in any subsequent year. Expenditure in excess of these limits must be classed as non-recurring expenditure;

(*d*) monthly grants made to schools for petty expenses (contingent allowances);

(*e*) scholarships in primary schools and stipends in training institutions or such other institutions as may be approved by Government;

(*f*) travelling allowances;

(*g*) stationery, stamps, printing and other office expenses;

(*h*) grants to approved primary schools within the area;

(*i*) such other reasonable expenditure as may be approved by Government:

Provided that—

(*i*) no expenditure incurred by a Local Authority in connection with education other than primary education or from a trust fund the income from which meets the whole cost of the object for which the trust was instituted, e.g. the award of a prize in a particular school or for a particular subject, shall be included in the said annual recurring expenditure;

(*ii*) overpayments objected to in audit shall not be treated as approved expenditure, the consequent recoveries called for in audit if and when made being brought to account not by deduction from expenditure but as receipts under "Cash recoveries of overpayments" in previous years, but they will not be treated as local assets;

(*iii*) grants made by a District Local Board to a Municipality or Cantonment under sections 77 and 79 of the Bombay Local Boards Act, 1923, shall not be included in the said expenditure.

(*iv*) No expenditure incurred in connection with a primary school maintained or approved by the School Board will be included in the said expenditure if the average attendance of the school, except in the year in which it was opened, is less than—

(*a*) 15 in the case of an ordinary primary school, and

(*b*) 10 in the case of Urdu schools and schools for girls, depressed classes and aboriginal tribes.

Increase in expenditure in any year not to exceed the estimate.

113. The increase in the recurring annual expenditure in any year over that of the previous year on account of a scheme for the introduction of compulsory education shall not exceed the amount estimated by a local authority and sanctioned by Government.

B—Non-recurring Grants

Grants for expenditure included in compulsory elementary education scheme.

114. Non-recurring grants shall be given on account of expenditure incurred on erecting, purchasing, enlarging or rebuilding school buildings and on special repairs costing over Rs. 100 or on repairs involving improvements and thus enhancing the original cost of the building, on the purchase of sites and on furniture, equipment and books in excess of the limits laid down in rule 112 (*c*), provided that the expenditure has been sanctioned by Government as part of a scheme to provide compulsory elementary education under section 10 (*2*) of the Act, and the expenditure does not exceed the amount as estimated by the local authority. The grant shall be equal to one-half of the expenditure if the local authority is a Municipality and equal to two-thirds of the expenditure if the local authority is a District Local Board.

Grants for other non-recurring expenditure

115. Non-recurring grants may also be given by Government on account of expenditure on buildings etc. which do not form part of a scheme to provide compulsory elementary education. The payment of such grants shall depend on the financial condition of Government.

116. The award of non-recurring grants under Rules 114 and 115 shall be subject to such conditions regarding the sanitary and hygienic requirements to be observed in the designing and construction of buildings, the approval of detailed plans and estimates, the execution of trust deeds or agreements, etc., as may be laid down by Government from time to time.

Conditions subject to which grants will be awarded.

Note 1.—These conditions are printed as Rules for building grants in Schedule D.

Note 2.—Rules indicating the procedure regarding execution of works pertaining to school buildings are given in Part II of Schedule E appended to these Rules.

CHAPTER IX

Municipalities which are not Local Authorities

Every municipality which is not a local authority shall on a date to be notified by the Government in this behalf transfer to the district local board of the district in which it is situate all primary schools, with their lands, buildings, records and equipment, which vest in it and shall pay over annually to the said district local board for educational purposes such amount as may from time to time be fixed by the Government on the basis of the number of children of the municipal district receiving primary education from the district local board, and the income accruing from any funds (including trust funds) held and all moneys received by it for purposes of primary education.

Bombay Primary Education Act, 1923, section 6 (1).

If any such municipality is at any time authorized by the Government to manage its own schools, the district local board of the district shall on a date to be notified by the Government in this behalf transfer to such municipality all primary schools, with their lands, buildings, records and equipment, situated in the area subject to such municipality; and such municipality shall from the aforesaid date no longer be liable to make the payments required by sub-section (1).

Section 6 (2).

117. The primary schools of a municipality which is not authorized by Government to manage its own schools shall be managed by the District Local Board of the district within which the municipality is situated, and the District Local Board shall also award grants-in-aid to other approved primary schools within the municipal area.

District Local Board to manage schools of a municipality not authorized to manage its own schools.

118. The recurring cost of primary education in any year in a municipality which is not a local authority shall be met to the extent of one-third by the municipality, the amount to be contributed by the municipality being calculated as laid down in rule 119.

Proportion of cost to be borne by municipality and by District Local Board.

119. (1) The amount to be contributed by the municipality in any year shall be one-third of the estimated average recurring cost of each pupil in the area within the jurisdiction of the district local board (including municipalities which are not local authorities), including the cost of management, supervision, etc., in that year

Share of municipality how calculated and paid.

multiplied by the estimated average number of pupils on the rolls of the municipal schools in that year. To this amount must be added one-third of the estimated amount of grants-in-aid to be paid to other approved schools within the municipal area during the year. The total amount as thus estimated, *less* any sums which will be paid during the year by the municipality to the District Local Board under section 6 (*1*) of the Act other than income from a trust fund which meets the whole cost of the object for which the trust was instituted, e.g. the award of a prize in a particular school or for a particular subject, shall be paid by the municipality to the District Local Board in advance in two half-yearly instalments, the first instalment being paid before the 10th April and the second instalment before the 10th October in each year.

The District Local Board may at its discretion charge penal interest at a rate not exceeding 10 per cent. but not less than 7½ per cent. on amounts not paid when due, by the non-Local Authority Municipalities in the District. The amount of penal interest, which may be levied by the District Local Board, in each case should be added to the amount of contribution due from the non-Local Authority Municipalities to the District Local Board. As soon as a District Local Board decides to charge penal interest in any case, it shall give the necessary intimation to the non-Local Authority Municipality concerned, and shall also forward copies of the Local Authority's Resolution, with full particulars according to the departmental requirements, to the Director of Public Instruction, the Examiner, Local Fund Accounts, the Educational Inspector of the Division, and the Senior Government Inspecting Officer of the district. The non-Local Authority Municipality concerned may appeal against the resolution of the District Local Board to the Director of Public Instruction, whose decision in this connection shall be final.

(2) At the end of each year, the actual amount due by the Municipality under sub-rule (1) shall be calculated, from the actual number of pupils on the rolls, the actual average cost per pupil, and the actual grants paid to approved schools and the actual sums which have been paid by the municipality to the District Local Board under section 6 (*1*) during that year, and the necessary adjustment shall be made.

Example.—It is estimated that in 1925-26 there will be 1,000 pupils at an average cost of Rs. 21 per pupil and that the grants to aided primary schools will be Rs. 600. The contribution payable by the municipality in 1925-26 will be Rs $21/3 \times 1{,}000$ *plus* Rs. 600/3 or Rs. 7,200 in all.

After the end of 1925-26, it is found that the average number of pupils was 950, and the average cost per pupil was Rs. 18 only, the amount actually paid to aided schools being Rs. 750.

The municipality ought, therefore, to have contributed Rs. $18/3 \times 950$ *plus* Rs. 750/3 or Rs. 5,950 in all. The difference of Rs. 7,200 – Rs. 5,950 or Rs. 1,250 will be deducted from the estimated contribution of the municipality for 1926-27.

Note.—In calculating the average recurring cost per pupil for the purpose of this rule, (1) expenditure actually incurred in any particular

year shall be shown and treated as expenditure for that year, although a part or the whole of it may relate to payments which should have been made in previous years, and (2) all items of expenditure admitted against the Primary Education Fund shall be taken into account, even though they may have been disallowed for Government grant.

The following items of expenditure shall not be taken into account in calculating the average recurring cost of each pupil for the purpose of this rule:—

(1) expenditure borne fully by Government;

(2) amounts of grants-in-aid paid to aided schools in the district local board and non-local authority municipal areas;

(3) non-recurring expenditure incurred under rules 114 and 115;

(4) refunds of cess collections under section 79 of the Bombay Local Boards Act, 1923; and

(5) grants made by a district local board to a municipality on account of children attending municipal schools whose parents pay cess on lands outside the municipal limits.

Non-recurring expenditure on buildings.

120. Non-recurring grants may be given by Government on account of expenditure incurred on the erection or extension of school buildings or on special repairs thereto costing over Rs. 100, or on repairs involving improvements which would enhance the value of the building, provided that the expenditure has been approved by Government and the financial condition of Government permits of the payment of the same. The expenditure less Government grant shall be met by the Municipality. The award of non-recurring grants by Government shall be subject to the conditions laid down in rule 116.

Other non-recurring expenditure.

121. Other non-recurring expenditure, e.g. expenditure on furniture, equipment and books in excess of the limits laid down in rule 112 (*c*) shall also be met by the Municipality to the extent of the expenditure less Government grant as may be determined by Government.

The decision of Government as to what constitutes non-recurring expenditure as distinct from recurring expenditure shall be final.

Fees in primary schools to be credited to local authority.

122. Fees received from pupils of primary schools of a municipality shall be credited to the local authority.

Municipality to appoint School Committee.

123. The municipality shall appoint a School Committee, consisting of such councillors or other members who are not councillors, as it may think fit, to supervise the primary schools within the municipal area.

Application of rules to Notified Area Committee.

124. The rules in this chapter shall also apply to the committees of those notified areas to which clause (*p*) of sub-section (*1*) of section 54 of the Bombay District Municipal Act, 1901, has been applied, in the same way and to the same extent as they do in the case of municipalities, and such Notified Area Committees shall, for the purposes of these rules, be deemed to be municipalities which are not local authorities and the provisions of section 6 (*1*) of the Act shall apply to them.

CHAPTER X

Enforcement of Compulsion

Bombay Primary Education Act, 1923, section 18.

In every area of compulsion the parent of every child to whom a scheme applies shall, in the absence of a reasonable excuse as hereinafter provided and if such parent and child ordinarily reside in such area, cause such child to attend an approved school in such area.

Section 19.

A parent shall be deemed to have a reasonable excuse for failure to cause a child to attend an approved school in any of the following cases :—

(a) *where the child is prevented from attending school by sickness, infirmity or other unavoidable cause;*

(b) *where the child is receiving, otherwise than in an approved school, instruction which in the opinion of the school board is efficient, or has received from the school board a certificate of having already completed his elementary education;*

(c) *where there is no approved school within a distance to be fixed by the Government in consultation with the school board and measured according to the nearest road from the residence of the child;*

(d) *where, after due application, entrance to an approved school has been refused to the child and there is no other approved school to which he can be admitted within the distance fixed under clause* (c), *until such time as the parent is notified that the child can be admitted;*

(e) *where there is no approved school in the locality in which instruction is given in the vernacular of the child;*

(f) *where there is no approved school in the locality to which the parent can send the child without exposing it to religious instruction to which the parent objects.*

Section 20(*1*).

Where the school board is satisfied that the parent of any child who is bound under the provisions of section 18 to cause such child to attend an approved school, has failed to do so, the school board after giving the parent an opportunity of being heard and after such enquiry as it considers necessary, may pass an order directing the parent to cause such child to attend an approved school on and from a date which shall be specified in the order.

This power may be delegated by the school board to a person or committee appointed by it. Section 20 (2)

Any parent against whom an order with reference to a child has been passed under section 20 and who fails to comply with the provisions of section 18 with respect to such child on and after the date specified in such order shall, if he resides in a town or village where there is a magistrate, on conviction by such magistrate, and, if he resides elsewhere, on conviction by a revenue or police patel or other person empowered in this behalf by the District Magistrate, be liable to a fine not exceeding two rupees and, if such failure continues after such conviction he shall also on conviction by such magistrate, patel or person be liable to a fine of eight annas for every day that the failure continues or is repeated. Section 21 (1)

No magistrate, patel or person shall take cognizance of an offence under sub-section (1) except on the complaint of the authority or person who passed the order under section 20, or by any person authorized by the said board in this behalf. Section 21 (2)

Whoever knowingly takes into his employment, either on his own behalf or on behalf of any other person any child in respect of whom the provisions of section 18 apply, so as to interfere with the efficient instruction of such child, shall, on conviction before a magistrate, be liable to a fine not exceeding twenty-five rupees. Section 22 (1)

No court shall take cognizance of an offence under this section except on the complaint of the school board or the School Board Administrative Officer, or any person authorized by the said board or officer in this behalf; and before making any complaint under this section against any person, the school board or the School Board Administrative Officer or such person shall, unless such person has previously been convicted under this section in respect of the same child, cause a warning to be given to such person. Section 22 (2)

If a fine imposed under section 21 or 22 by a magistrate, patel or person is paid, it shall be credited to the local authority and applied by the said authority for educational purposes. Section 23 (1)

If such fine be not paid the amount thereof shall be recoverable by the local authority in the same manner as an amount claimed on account of a tax. Section 23 (2)

An appeal from a conviction under section 21 by a patel or person shall lie to the nearest magistrate having jurisdiction in the town or village where the appellant resides. Section 24.

The Government may by notification in the "Bombay Government Gazette" exempt children of either sex of any particular class or community in any area of compulsion or part thereof from the operation of this Act. Section 25.

125. Before the introduction of compulsory elementary education into any area, the School Board shall cause a census to be taken of all children in such area liable for compulsory elementary education and shall publish a register of such children in the form given in Appendix A. A

Census of children: publication of register.

separate register shall be prepared for girls if it is proposed to provide compulsory elementary education in the case of girls. The register shall be revised annually.

Date of birth to be entered in school register.

126. The date of birth of every child as shown in the register referred to in rule 125 shall be entered in the general register of the school which the child may attend and shall not be altered without the sanction of the school board.

Issue of attendance notice.

127. It shall be the duty of the school board or the committee or person to whom the power is delegated under section 20 (2) of the Act to issue a notice in the form given in Appendix B to the parent of every child not less than three months before the day on which the child must first attend the school directing him to cause the child to attend an approved school on and from a date which shall be specified in the notice.

N.B.—Notice shall be considered duly served if a copy is personally delivered to the parent or guardian or is affixed on the premises last occupied by the parent or guardian.

Parent to be heard.

128. If the parent of a child applies for exemption under section 19 of the Act, he shall be called before the school board or person or committee to whom the power of the school board in this respect has been delegated, before any order is passed and shall be informed in writing of the decision on his application.

Particulars of attendance order to be communicated to Head Master.

129. The Head Master of each school shall be informed of the names of all children whose parents have been ordered to cause them to attend his school, and of the date from which the attendance of such children is compulsory.

Report of absence.

130. If any such child does not attend school, as directed in the notice issued under rule 127, the Head Master shall at once report the fact to the School Board or to the person or committee to whom the powers of the School Board have been delegated under section 20 (2) of the Act.

School Board Administrative Officer to be informed if child or parent remove to another place.

131. If the parent of a child, who is attending school, removes from the town or village in which he or it is residing, it shall be the duty of the Head Master of the school which the child attends to inform the School Board Administrative Officer of the removal of the child. If the removal is to another area of compulsion, the School Board Administrative Officer shall take steps to ensure that the prescribed notice is served upon the parent requiring him to cause the child to attend a school within that area.

CHAPTER XI

Preparation of Scheme for Compulsory Elementary Education

A local authority may by resolution declare its intention to provide compulsory elementary education in the whole or any part of the area subject to its jurisdiction in the case of children of either sex or both sexes and, if the local authority is a district local board, in any area subject to the jurisdiction of a municipality situate in the district which is not a local authority and shall submit its proposals to the Government in the form of a scheme. Bombay Primary Education Act, 1923, section 10 (*1*).

A local authority, if called upon by the Government so to do, shall within a time to be specified by the Government submit a scheme to provide compulsory elementary education in such area as above as the Government may direct and in the case of children of either sex or both sexes as the Government may specify. Section 10(*2*).

Every local authority shall, within the prescribed period, prepare as complete a programme as possible for the universal introduction of compulsory education within the area subject to its jurisdiction within a definite period. Section 10(*3*).

The scheme shall contain the following particulars— Section 11.

(a) *the area of compulsion;*

(b) *a census of children of either sex or both sexes residing within such area and classified by communities and vernaculars;*

(c) *a list of existing and proposed schools indicating the private schools which will be approved schools;*

(d) *a schedule of existing and proposed teaching, inspecting and supervising staff;*

(e) *the manner in which provision will be made for the compulsory elementary education in their vernaculars of the children of all communities in the area of compulsion;*

(f) *the recurring and non-recurring cost of the scheme and how the local authority proposes to meet its share of it; and*

(g) *if there is a municipality which is not a local authority within the area of compulsion the annual contribution which the municipality in the opinion of the local authority should make.*

The Government may after such inquiry as shall seem necessary sanction such scheme with or without modification. Section 12.

A sanctioned scheme may with the sanction of the Government be withdrawn or from time to time modified by a local authority or may by an order published with the reasons for making it in the " Bombay Government Gazette *" be modified, cancelled or temporarily suspended by the Government.* Section 15.

If a local authority when called upon makes the default in preparing a scheme or after a scheme has been sanctioned omits to make adequate provision for compulsory elementary education in accordance with a scheme as sanctioned and to bring into operation or continue to Section 26(*1*).

keep in operation such scheme, the Government may after due enquiry appoint a person to prepare the scheme or to bring it into operation or to continue to keep it in operation as the case may be, and the expense thereof shall be paid by the local authority to the Government.

Section 26(2). *If the expense is not so paid the Government may make an order directing any person who has for the time being custody of any moneys on behalf of the local authority either as banker or in any relation to pay such expense from such moneys as he may have in his hands or may from time to time receive and such person shall be bound to obey such order.*

Particulars to be contained in scheme.

132. The particulars required to be contained in a scheme under section 11 of the Act shall be furnished under the following three heads:—

(*a*) the estimated number of children to be provided for;

(*b*) a general programme for the application of compulsion extending over a term of years, which should not exceed ten, together with the estimated cost;

(*c*) a detailed scheme for each year of the programme.

Form in which information regarding estimated total number of children should be supplied.

133. The information required under clause (*a*) of rule 132 shall be prepared in the form of the tables in Appendices C, D, E and F.

Particulars to be contained in general programme.

134. The general programme referred to under clause (*b*) of rule 132 shall include a statement showing the principles on which compulsion is to be applied, the period within which the programme is proposed to be completed and the means which the local authority proposes to adopt to provide its share of the cost.

The tables in the forms of Appendices G, H and I shall also be prepared and submitted to Government, Appendix G being prepared *separately for each year.*

Detailed scheme.

135. The detailed scheme for each year of the programme referred to under clause (*c*) of rule 132 shall be prepared in the form shown in Appendix J and submitted to Government not less than one year in advance, that is to say, the scheme for 1926-27 shall be submitted before the 1st April 1925 and so on.

CHAPTER XII

Preparation of Scheme for Expansion on a Voluntary Basis

Division of scheme into heads.

136. A scheme for the expansion of primary education on a voluntary basis shall contain information under the following three heads:—

(*a*) the estimated total number of children to be provided for;

(*b*) a general programme for expansion extending over a term of years, which should not exceed ten, together with the estimated cost;

(*c*) a detailed scheme for each year of the programme.

137. The information required under clause (*a*) of rule 136 shall be prepared and submitted to Government in the form of the tables given in Appendices C, D, E and F to these rules.

Estimated total number of children.

138. The general programme referred to under clause (*b*) of rule 136 shall include a statement showing the principles on which schools are proposed to be opened, the period within which the programme is proposed to be completed, and the means which the local authority proposes to adopt to provide its share of the cost.

The tables shown in Appendices G, H, and I to these rules shall also be prepared and submitted to Government, table G being prepared *separately for each year.*

139. The detailed scheme for each year of the programme under clause (*c*) of rule 136 shall be prepared in accordance with the instructions in Appendix K and submitted to the Government not less than one year in advance, that is to say, the scheme for 1926-27 shall be submitted before 1st April 1925 and so on.

Detailed scheme.

CHAPTER XIII

Preparation of the Budget

A—Budget

The School Board shall submit its annual budget and all alterations therein for the sanction of the local authority.

Bombay Primary Education Act, 1923, section 4 (3).

140. (1) The School Board shall prepare in such form as may be prescribed by the Government a preliminary Budget for each year and submit it to the local authority for sanction not later than the 1st September of the previous year.

School Board to prepare budget.

(2) As soon as the provincial grant for the year has been sanctioned, the School Board shall make such modifications in the Budget as may be required and submit the revised Budget to the local authority for final sanction. The local authority may make such modifications as it considers necessary and shall pass the revised Budget by the 1st of March.

B—Accounts

141. (1) A Primary Education Fund shall be maintained by the School Board of each local authority. This fund shall be kept in the local branch of the Imperial Bank of India, if there be such branch, or in any of the Co-operative Banks of limited liability approved by Government in Government Resolution, Revenue Department, No. 6990/24 of 7th August 1926 or in such other Bank or Co-operative Bank as may, from time to time, be approved by Government under this rule or in the Government Treasury.

Constitution of Primary Education Fund.

It shall be lawful for the School Board to deposit such portion of the Primary Education Fund as is not likely to be required immediately in the local Post Office Savings Bank or invest it in Post Office Cash Certificates, or in securities of the Government of India or of any local Government in India.

Primary Education Fund of what to consist.

(2) The following shall form part of, or be paid into, the Primary Education Fund :—

(*a*) the balance of the Educational Local Fund in the case of a local authority which is a District Local Board and of the School Fund in the case of a local authority which is a municipality, at the time when the Act comes into operation;

(*b*) the grant payable by the local authority on account of primary education, including in the case of a local authority which is a District Local Board the portion of the revenue which is to be devoted to primary education under section 80 of the Bombay Local Boards Act, 1923;

Explanation.—The grant payable by a local authority municipality is the amount of recurring expenditure in any year less the Government grant paid in that year, fees and other sources of income which belong to the Fund. This amount should be paid by the local authority in consultation with the School Board from time to time as required.

(*c*) the grants payable by Government on account of primary education;

(*d*) the contribution in the case of a local authority which is a District Local Board of such municipalities in the district as are not local authorities;

(*e*) fees and fines recovered from primary schools;

(*f*) such other sums as may from time to time be received on account of primary education.

(3) Moneys for educational purposes other than primary education shall under no circumstances be credited or debited to the Primary Education Fund. The accounts pertaining to the management of such educational institutions other than primary schools (e.g. English Classes attached to primary schools etc.) as have been or may be entrusted to the School Board by the local authority under rule 39 shall be kept distinct and separate from those of the Primary Education Fund. The expenditure for educational purposes other than primary education shall be met from the portion of the revenue set apart for such expenditure under section 80 of the Bombay Local Boards Act, 1923, and from such other sums, e.g. fees and Government grant, if any, as may from time to time be received in that connection.

141A. All grants payable by Government on account of primary education shall be paid to the local authority, and the receipt thereof shall be acknowledged by a quittance signed by the President of the local authority or by an officer authorized by the local authority in this behalf.

These grants shall be paid by the local authority to the credit of the Primary Education Fund, and the receipt thereof shall be acknowledged by acquittance signed by the School Board Administrative Officer and countersigned by the Chairman of the School Board, or in his absence, by the Vice-Chairman or other member of the School Board to whom this power has been delegated by the Chairman.

Fund how drawn against.

142. No payment shall be made from a bank or from the Government Treasury out of the Primary Education Fund except upon a cheque signed by the School Board Administrative Officer and countersigned by the Chairman of the School Board, or in his absence by the Vice-Chairman or other member of the School Board to whom the power of countersigning cheques has been delegated by the Chairman. In the absence of the School Board Administrative Officer, or where there is no School Board Administrative Officer, such cheque shall be signed by the Vice-Chairman and countersigned by the Chairman, or in his absence by any member of the School Board other than the Vice-Chairman to whom the power of countersigning has been delegated by the Chairman. Due intimation of the delegation of such power shall be given by the Chairman to the Bank or Government Treasury in which the Primary Education Fund is kept.

School Board Administrative Officer to be responsible for proper checking.

143. The School Board Administrative Officer shall be responsible for the scrutiny of all vouchers or bills before a cheque or letter of credit is prepared, and it shall be his duty to bring specially to the notice of the Chairman, Vice-Chairman or other member of the School Board who countersigns the cheque or letter of credit any unusual feature in payment on account of which it is drawn.

School Board Administrative Officer to make disbursements.

144. All disbursements shall be made by the School Board Administrative Officer.

Form of accounts of receipts and expenditure.

145. The accounts of receipts and expenditure of the School Board of a local authority shall be kept in such form as may be prescribed by Government.

Abstract of accounts to be sent to Director of Public Instruction.

146. An abstract of the receipts and expenditure during each official year shall be forwarded to the Director of Public Instruction as soon as may be after the end of the year in such form as may be prescribed by Government.

C—Audit

Audit.

147. The account of receipts and expenditure of the Primary Education Fund shall be examined and audited at such intervals, in such manner and by or under the superintendence of such auditor as Government directs.

148. Every auditor appointed under rule 147 shall have access to the accounts and to all books, deeds, contracts, vouchers and all other documents and records in the possession, or under the control, of the School Board.

Auditor to have access to accounts, books, etc.

149. The School Board Administrative Officer shall assist the auditor in disposing of all objections raised by him, and shall place before the School Board at its next meeting all audit objections which have not been disposed of in consultation with the auditor.

School Board Administrative Officer to assist the auditor.

150. The report of the auditor on the accounts of each School Board shall be submitted to Government, and copies thereof shall be sent to the President of the local authority, the Chairman of the School Board, the Director of Public Instruction, and the Collector of the district concerned.

Report of auditor to whom to be sent.

151. The School Board shall reply to all audit objections raised by the auditor at the time of his examination of the accounts or in the report on the audit of the accounts within two months of the receipt of the objections.

Audit objections to be answered.

SCHEDULE A

Backward	*Depressed*
Agasa.	Advichinchar.
Ager.	Alikar.
Agri.	
Ahir.	Bahurupi.
Ahir Sonars.	Bajania.
Alkari.	Balsantoshi.
Ambig.	Bandi.
Arer.	Parda.
Atari.	Battal.
Atte Vakkal.	Bava.
	Bavcha.
Babria.	Bazigar.
Badhai.	Beldar
Badig.	Berad (Bedar).
Bagadi.	Bhambi.
Bajir	Bhampta.
Bakad.	Bhand.
Bandhara.	Bhangi.
Bari.	Bharadi.
Bhadbhunja	Bhat or Barot.
Bhandari	Bhavaya.
Bharvad.	Bhavin.
Bhavsar.	Bhil.
Bhoi.	Bhisti.
Bogar.	Bhute.
	Burud.
Chakis.	
Chaturth.	Chambhar.
Chaukalshi.	Chamtha.
Chhipa.	Chandlagar.
Churigars.	Chapparband.
	Charan.
Dabgar.	Chitrakathi.
Darji.	Chodhra.
Dhangar.	Chuhar.
Dhavad.	
Dhobi.	Das.
	Depala.
Gabit.	Dhed.
Gam Vakkal.	Dhodia.
Gandharia.	Dhor.
Ganig.	Dubla.
Garasia.	
Gavada.	Gamta.
Gavli.	Gandhrap.
Gavandi.	Garudi.
Ghadi	Ghadshi.
Ghanchi.	Ghisadi.
Gola.	Golla.
Gongadikar.	Gond.
Gudigar.	Gondhali.
Gurav.	Gopal.
Habbu.	Halsar.
Hajam.	Helav.
Halepaik.	Holiya.
Halleer.	
Halvakki Vakkal.	Jagaria.
Hanbar.	Jagiasi (Sind).
Haridas.	Jajak (Sind).
Harkanta.	Jatia.
Harris.	Jogi.
Hati.	Jogin.
	Joshi
Iliger.	Johari.

Backward	*Depressed*
Jajri	Kahar.
Jat.	Kaikadi.
Jingar	Kanjari.
	Katkari.
Kabbaligar.	Kapdi.
Kachari.	Kattai.
Kachhia.	Khalpa.
Kachhi.	Khati (Sind).
Kachi.	Khavas.
Kadia.	Kiliket.
Kalal	Kokna.
Kalavant.	Kolhati.
Kamathi.	Koli, Mahadev.
Kammar.	Koli, Malhar.
Kamli.	Koli, Dhor.
Kanada.	Kolis of Sind.
Kanbis except Leva Kanbis (otherwise styled as Patidars) of the Kaira District and of the North and South Daskroi Talukas of the Ahmedabad District.	Kolgha.
	Korava.
	Korchar.
	Kori (Sind).
	Kotegar.
	Kucchria (Sind).
	Lamani.
Kanchagar.	Mahar.
Kansara.	Mairal.
Kare Vakkal.	Mang and Madig.
Kasai.	Mang Garudi.
Kasar.	Mangela.
Katari.	Me.
Kathi.	Miana.
Kelasi.	Menghwar.
Kharadi.	Mochi.
Kharak.	Mukri.
Kharva.	Murli Vaghya.
Khetri.	
Khattri.	Naikada.
Khitri (Sind).	Nandivale.
Kirad.	Nanga.
Koli of Gujarat.	Nat.
Koli, Son.	Nath.
Komarpaik.	
Koshti.	Od.
Kot.	
Kshatri.	Padharia.
Kudavakkal.	Padiar.
Kulama.	Pangul.
Kumbhar.	Patradavaru.
Kunbi.	Patharvat.
Kunchavakkal	Pavaiya.
Kurmi.	Phanse Pardhi.
Kurub.	Phudgi.
	Pomla.
Labana Sikhs.	
Lad.	Rachevar.
Lad Sonars.	Raekari.
Ladak.	Ramoshi.
Lakheri.	Ravalia.
Lingayat.	
Lodha.	Sahdev Joshi.
Lohar.	Salat.
	Sangar.
Macchi.	Sanjogi.
Mahia.	Sanyasi.

SCHEDULE A—*contd.*

Backward	*Depressed*	*Backward*	*Depressed*
Mali.	Sappalig.	Rawat.	
Maratha.	Sarania.	Razas or Mitiars.	
Masand (Sind).	Sarodi.		
Mer.	Sarvade.	Sagar.	
Moger.	Shikari.	Sali.	
	Shindava.	Sanghar.	
Nador.	Sochi.	Sarekari.	
Naghori.	Suler.	Sarwan.	
Naikawadi.	Suthria (Sind).	Satarkar.	
Nayer.		Sathvara.	
Nhavi.	Takari.	Sherogar.	
Nilara.	Thakar (Ratnagiri).	Shimpi.	
	Thakur (North Konkan).	Shudra (Sudir).	
Oshthama.	Tirgar.	Sutar.	
Otari.	Tirmali.	Suwar.	
	Turi.		
Padamsali.		Tambat.	
Padti.	Udasi.	Tamboli.	
Pagi.		Taru.	
Panchalas (Karnatak Vishwabrahma community).	Vaddar.	Telagu Banjig.	
	Vadi.	Teli.	
Panchkalshis (Wadwals).	Vaghri.	Thakor (Sind).	
	Vaidu.	Thatharas.	
Pancholi.	Vaiti.	Thori.	
Parit.	Vajantri.	Tigala.	
Patanwadia (Dharalas).	Valhar.	Timaliya.	
	Vanjari.	Tirguli.	
Patelia.	Varli.		
Pategar.	Vasudev.	Upper.	
Patvekari.	Vir.		
Pendhari.	Vitolia.	Vagher.	
Pinjari.		Vaishyas (Komtis).	
Pinjaro.	Zharekari.	Vanjha.	
		Wanhan.	
Rabari.			
Raddi.		Yaklar.	
Rajput.			

3477—1,187—11-33—Q16 Corr. Slip to Edcl. 198 e.
G. R., E. D., No. S-96, dated 30-10-33.]

NOTIFICATION

Educational Department

Bombay Castle, 30th October 1933

2 No. S-96.—In exercise of the powers conferred by sub-section (1) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay is pleased to amend the Bombay Primary Education Rules, 1924, published in Government Notifiaction No. 2534, dated the 10th October 1924, as follows, namely:—

In Part I of Schedule B appended to the said rules, *for* the entry—

"Ahmednagar ... | 1 | 1 | 1+1 (Christian) | 2 | 1 | ... | 4 | 11"

the following entry *shall be substituted*, namely:—

"Ahmednagar ... | 1 | 1 | 1+1 (Christian) | 2 | 1 | 1 | 4 | 12".

By order of the Government of Bombay (Transferred Departments),

R. B. EWBANK,
Secretary to Government.

SCHEDULE B

SCHEDULE SHOWING THE CONSTITUTION OF SCHOOL BOARDS UNDER THE BOMBAY PRIMARY EDUCATION ACT, 1923

I—District Local Boards

Name of District Local Board.	Experienced in education.	Women.	Minorities muhammadans.	Backward classes'.	Depressed classes'.	Municipalities.	General.	Total.
Ahmedabad ...	1	1	1	2	1	2	6	14
Broach ...	1	1	1	2	1	2	3	12
Kaira ...	1	1	1	2	1	2	4	12
Panchmahals ...	1	1	1	2	1	...	4	10
Surat ...	1	1	1	1	1	...	6	11
Thana ...	1	1	1+1 (Christian)	2	1	2	4	13
Ahmednagar ..	1	1	Do.	2	1	...	4	11
East Khandesh ...	1	1	1	3	1	3	5	15
West Khandesh ...	1	1	1+1 (Bhil)	2	1	1	4	12
Nasik ...	1	1	1	2	1	2	4	12
Poona ...	1	1	1	2	1	2	4	12
Satara ...	1	1	1	3	1	2	5	14
Sholapur ...	1	1	1	2	1	2	4	12
Belgaum ...	1	1	1+1 (Jain)	3	1	2	4	14
Bijapur ...	1	1	1	2	1	2	4	12
Dharwar ...	1	1	1	2	1	2	4	12
Kanara ...	1	1	1+1 (Christian)	2	1	2	3	12
Kolaba ...	1	1	1	2	1	2	4	12
Ratnagiri ...	1	1	1	3	1	1	5	13
Hyderabad ...	1	1	...	...	...	2	9*	13
Dadu ...	1	1	...	...	...	2	9*	13
Karachi ...	1	1	...	...	...	1	9*	12
Larkana ...	1	1	...	...	...	1	9*	12
Nawabshah ...	1	1	...	...	...	...	9*	11
Sukkur ...	1	1	...	...	...	1†	9*	12
Thar and Parkar ...	1	1	...	...	...	1	9‡	12
Upper Sind Frontier ...	1	1	...	...	...	...	9*	11
Bombay Suburban District.	1	1	1	1	1	2+1 (Notified Area Committees).	4	12

* Of whom two must be Hindus.

† For Ghotki.

‡ Of whom four should be Hindus and five should be Muhammadans.

SCHEDULE B—*contd.*

II—Municipalities treated as Local Authorities

Municipalities.	Experienced in education.	Women.	Backward classes.*	Depressed Classes.*	Minorities Muhammadans.	General.	Total.
Poona ...	1	1	1	1	1	4	9
Sholapur ...	1	1	1	1	1	4	9
Ahmedabad ...	1	1	1	1	1	4	9
Surat ...	1	1	1	1	1	4	9
Broach ...	1	1	1	1	1	4	9
Hubli ...	1	1	1	1	1	4	9
Gadag Bettigeri ...	1	1	1	1	1	4	9
Ahmednagar ...	1	1	1	1	1	4	9
Satara City ...	1	1	1	1	1	4	9
Jalgaon ...	1	1	1	1	1	4	9
Dhulia ...	1	1	1	1	1	4	9
Nasik ...	1	1	1	1	1	4	9
Bandra ...	1	1	1	1	1	4	9
Bijapur ...	1	1	1	1	1	4	9
Dharwar ...	1	1	1	1	1	4	9
Pandharpur ...	1	1	1	1	1	4	9
Karachi ...	2	1	...	...	...	6	9
Hyderabad ...	1	1	...	...	2	3	7
Shikarpur ...	1	1	...	...	2	3	7
Sukkur ...	1	1	...	...	2	3	7
Rohri ...	1	1	...	...	2	3	7
Viramgam ...	1	1	1	1	1	4	9
Tando Adam ...	1	1	...	...	2	3	7
Barsi ...	1	1	1	1	1	4	9
Lonavla ...	1	1	1	1	1+1 (Christian)	3	9
Thana ...	1	1	1	1	1+1 (Christian)	3	9

* *Note*—Representatives of the backward and depressed classes must themselves be members of those classes.

SCHEDULE B—*contd.*

II—Municipalities treated as Local Authorities—contd.

Municipalities.	Experienced in education.	Women.	Backward classes*.	Depressed classes*.	Minorities Muhammadans.	General.	Total.
Bulsar ...	1	1	1	1	1	4	9
Bagalkot ...	1	1	1	1	1	4	9
Rander ...	1	1	1	1	1 (Bhora Muhammadan) +1 (Non-Bhora Muhammadan)	3	9
Amalner ...	1	1	1	1	1	4	9
Ratodera ...	1	1	...	...	2	3	7
Baramati ...	1	1	1	1	1	4	9
Jacobabad ...	1	1	...	...	3	3	8
Nadiad ...	1	1	1	1	1	4	9
Larkana ...	1	1	...	...	2	3	7
Dohad ...	1	1	1	1	2	3	9
Garhi Yasin ...	1	1	...	...	2	3	7
Shahadadpur ...	1	1	...	...	2	3	7
Malegaon ...	1	1	1	1	...	5	9
Godhra ...	1	1	1	1	...	5 †	9
Nipani ...	1	1	1	1	1	4	9
Kalyan ...	1	1	1	1	1	4	9
Mirpurkhas ...	1	1	...	...	2	3	7
Vengurla ...	1	1	2	1	1+1 (Christian)	2	9
Nandurbar ...	1	1	1	1	2	3	9
Tando Mahomed Khan.	1	1	...	...	...	6‡	8
Poona Suburban Municipality.	1	1	1	1	1	4	9
Chiplun ...	1	1	1	1	1	4	9

**Note.*—Representatives of the backward and depressed classes must themselves be members of those classes.

† Of whom two shall be Muhammadans.

‡ Of whom three should be Hindus and three should be Muhammadans.

SCHEDULE C

Model Rules for the election of the School Board (vide *Rule 15 of the Primary Education Rules)*

1. *President to fix place and dates for election.*—The President of the local authority shall fix the date for the election of (1) the members of the School Board representing special interests and (2) the remaining members of the School Board. In each case, he shall also fix the date, hour and place for the following stages of the election, namely receipt of nomination papers, scrutiny of nomination papers, and recording and counting of votes. The date for the receipt of nomination papers shall be not less than one week before the date fixed for the election.

2. At least four weeks before the date fixed for the election, the President shall cause a written notice of such date and of the place, dates and hours fixed under rule 1 for the various stages of the election to be—

(*a*) sent to every member of the local authority;

(*b*) sent to the municipalities in the district which are not local authorities and to such other local associations as shall have informed the President of their wish to receive such notice;

(*c*) posted in some conspicuous place in the offices of the Presidents of the District and Taluka Local Boards, of the Mamlatdar or Mahalkari of the taluka or mahal, as the case may be, and in such other places as the President may appoint; and

(*d*) published in such manner as the President may deem fit.

3. *Nomination of candidates.*—(1) On or before the date and at the time appointed under rule 1 for the receipt of the nomination papers, each candidate shall deliver to the President or the Vice-President, or the Chief Officer, who may be authorized in writing in this behalf by the President, a nomination paper completed in the form in Appendix I to this schedule and subscribed by the candidate himself as assenting to the nomination and by two members as proposer and seconder. Nomination papers in the prescribed form shall be supplied by the President, or the Vice-President, or the Chief Officer, as the case may be, to any member asking for the same.

(2) The proposer and seconder shall be present at the time of presentation of the nomination paper to the President, or Vice-President, or the Chief Officer, as the case may be, who shall ascertain there and then, that the proposer and the seconder have willingly signed the nomination paper. If either the proposer or the seconder expresses his unwillingness to acknowledge his having signed the nomination paper the candidate may present a fresh nomination paper.

4. *Scrutiny of nomination papers.*—On the date appointed for the scrutiny of nomination papers the candidates and one proposer and one seconder of each candidate and one other person duly authorized in writing by each candidate, but no other person may attend at the appointed time and place and the President shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner prescribed in rule 3.

5. *Disposal of objections: Rejection of nomination.*—(1) The President shall examine the nomination papers and shall decide all objections which may be made to any nomination and may either on such objection or on his own motion, after such summary inquiry if any, as he thinks necessary, refuse any nomination on any of the following grounds:—

(*i*) that the candidate is ineligible for the vacancy or vacancies for which he has been nominated;

(*ii*) that there has been any failure to comply with any of the prescribed provisions;

(*iii*) that the signature of the candidate or of any proposer or seconder is not genuine or has been obtained by fraud.

(2) Where a member has subscribed as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, those of the papers so subscribed which have been first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in sub-rule (2) shall be deemed to authorize the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

6. *Completion of scrutiny.*—(1) The President shall endorse on each nomination paper his decision accepting or rejecting the same, and, if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

(2) The scrutiny shall be completed on the day appointed in this behalf and no adjournment of proceedings shall be allowed.

7. *Preparation of list of valid nominations.*—On completion of the scrutiny of nominations the President shall forthwith cause a list of valid nominations to be prepared under his signature and cause it to be affixed in some conspicuous place in his office and at the place at which the election is to be held. He shall also cause a copy of the list to be sent to every member of the local authority, showing therein the qualifications of the candidates.

8. *Consultation of Municipalities regarding their representatives.*—The President shall, immediately after carrying out the provisions of rule 7 above, communicate the valid nominations for seats of representatives of Municipalities (not treated as local authorities) whose turn it is to elect representatives on the School Board of the local authority under rule 19 of the Bombay Primary Education Rules, 1921, to the Presidents of such municipalities and shall invite such municipalities to state the names of the persons among the valid nominees whom they recommend as their representatives on the School Board.

9. *Procedure at uncontested election.*—After the scrutiny of the nomination papers should the number of nominations for any class of vacancies not exceed the number of vacancies in that class, the person or persons nominated shall be deemed to be elected and in such case the President shall declare the result of the election for that class.

10. *Right to be nominated to two or more vacancies.*—When elections for two or more classes of vacancies are to be held at or about the same time, one and the same person may be nominated as a candidate for election for each such class of vacancy provided he is otherwise duly qualified.

11. *Withdrawal of candidature.*—Any person nominated under rule 3 may withdraw his candidature at any time on or before the date fixed for election under rule 1 by notice in writing subscribed by him and delivered to the President. Such withdrawal shall make his nomination void. When such notice is delivered before the voting has begun, and such withdrawal has the effect of leaving the election uncontested, the President shall declare the unopposed candidate or candidates to be duly elected.

12. *Voting.*—(1) When there are more candidates for each class of vacancies than there are vacancies in the class and the question of voting arises, the President shall preside at the place fixed for the recording of votes and receive votes thereat and provide himself with a box for receiving votes recorded at the election.

(2) Before the commencement of the poll, the President shall show the ballot box empty to such candidates and such members of the local authority who are not candidates as may be present at the polling station and shall then lock it up and seal it in such manner as to prevent its being opened without breaking the seal. The ballot box shall then be placed within a screened partition.

(3) Every member of the local authority desirous of recording his votes at the election shall attend for the purpose on the date and at the time and place appointed for the election under rule 1. When a member presents himself at the polling station, he shall be provided by the President with a voting paper in the appropriate form out of the two forms given in Appendix II to this schedule. Before receiving the voting paper the member shall sign the counterfoil thereof. No voting paper shall be issued after the closing hour appointed for the election under rule 1, but any member who has been given the voting paper before the closing hour shall be allowed a reasonable opportunity to record his vote.

(4) After receiving his voting paper the member shall proceed to the voting partition and shall record his votes there. He shall put one cross in pencil against the name of the candidate for every vote he wishes to give to the candidate. If the member does not wish to record his vote or votes in the case of any candidate or candidates or any class of vacancies, he shall leave the appropriate part of his voting paper blank. Only one member shall be allowed in the voting partition at a time.

(5) There shall be no voting by proxy.

(6) The President shall give such assistance as may be required to any member who is under any disability which incapacitates him from voting in the manner prescribed.

13. *Counting of votes.*—(1) The President shall, on the date and at the time and place appointed for the counting of votes under rule 1, in the presence of two members of the local authority who are not candidates and of any candidates in attendance, open the ballot box and separate the voting papers which he deems valid from those which he rejects, endorsing on the latter the word "rejected" and the grounds of rejection.

(2) The President may reject any voting paper on or by which the voting member has recorded more votes than he is entitled to or which bears any writing or mark by which it is, in his opinion, intended to be identified or which is unmarked or void for uncertainty.

(3) He shall then count the votes given to each candidate.

(4) He shall, upon the completion of the counting, seal up in separate packets, endorsing on each a description of its contents and the date of the election to which it refers, the voting papers counted and the voting papers rejected. He shall also prepare the voting paper account and verify it by comparing it with the number of voting papers counted or rejected as aforesaid and of the unused voting papers.

(5) He shall then prepare and certify a return setting forth—

(*i*) the result of the verification referred to in sub-rule (4);

(*ii*) the names of the persons for whom valid votes are given;

(*iii*) the number of valid votes given for each person;

(*iv*) the number of votes declared invalid;

and permit any candidate to take a copy of or an extract from the return.

(6) The President may at any stage adjourn the proceedings under this rule after giving notice of the date and hour at which proceedings will be resumed to the candidates or members of the local authority present.

14. *Declaration of results.*—When the counting of the votes has been completed, the President shall forthwith declare the candidate or candidates to whom the largest number of votes has been given, to be elected.

15. *Multiple elections.*—(1) If any person is elected to more than one vacancy on the School Board, he shall, by notice in writing signed by him and delivered to the President within three days from the date of declaration of the result of such election under rule 14, choose for which of these vacancies he shall serve and on such choice having been made, the result of the election shall, in every other vacancy to which such person has been elected, be determined as if no votes had been recorded for him.

(2) If such person does not make the choice referred to in sub-rule (1) the elections of such person shall be void and the results of the elections shall be determined as if no votes had been recorded for him.

16. *Communication of result to Government.*—The President shall thereafter without delay report the results of the election to the local authority and to Government through the Director of Public Instruction. He shall also cause the results to be posted up in some conspicuous place in his office.

17. *Custody of election papers.*—The President shall retain in his custody the return and the packets referred to in rule 13 and all other documents relating to the election.

18. *Production and inspection of election papers.*—(1) While in the custody of the President the packets of voting papers, whether counted or rejected, and of the counterfoils thereof shall not be opened and their contents shall not be inspected or produced except under the orders of a competent court or of Government.

(2) All other documents relating to an election in the custody of the President shall be open to inspection by the members of the local authority or by any officer of Government duly authorized in this behalf.

19. *Destruction of election papers.*—The President shall unless otherwise directed by a competent court or by Government cause all papers relating to an election to be destroyed after the lapse of one year from the date of the declaration of the result.

APPENDIX I TO SCHEDULE C

Form of Nomination Paper

(*See* rule 3 in Schedule C)

District Local Board / Municipality of _____

* Description of the vacancy for which the candidate is nominated—
Name of candidate—
Father's name—
Age and sex—
Address—
Denomination (state whether Muhammadan, Indian Christian, European, Anglo-Indian or Jain or whether belonging to Backward Classes or Depressed Classes)—
Qualifications, if the candidate represents special interests.
Name of the proposer—
Signature of the proposer—
Name of the seconder—
Signature of the seconder—

Declaration by Candidate

I hereby signify my willingness to serve if I am elected.

Date Signature of Candidate.

* Women, minorities, backward classes, depressed classes, experienced in education, general, Municipalities.

APPENDIX II TO SCHEDULE C

Forms of Voting Papers

(*See* rule 12 in Schedule C)

I

Form of voting paper for vacancies of members representing special interests

District Local Board / Municipality of _____

Voting Paper

Counterfoil Serial No. — Outerfoil (Front).

——	Description of class of vacancies.	Names of candidates.	Cross × .
1. Name of elector ...	1. Persons experienced in education (*)	1 2	
	2. Women(*) ...	1 2	
2. Signature of elector.	3. Representatives of minorities :— (1) Muhammadans (*) (2) Christians (*) (3) Bhils (*) (4) Jains (*)		
	4. Representatives of Backward classes (*).	1 2 3 4	
	5. Representatives of Depressed classes (*).	1 2 3	
	6. Representatives of municipalities (*)	1 2 3	

(*) Number of vacancies should be entered here.

(Back of Outerfoil)

Instructions in connection with recording of votes:—

1. For each class of vacancies you have the number of votes shown in brackets after the description of that class.

2. Put a cross or crosses against the name of ~~each of~~ the candidate / ~~the candidates~~ for whom you wish to vote.

3. You must *not* put against any class of vacancies more crosses than the number shown in brackets after the description of that class.

Serial No.

II

Form of voting paper for vacancies of general members

~~District~~ Local Board / ~~Municipality~~ of _____

Voting Paper

Counterfoil
~~Serial No.~~

Outerfoil
(Front)

—	Names of candidates.	Cross x.
1. Name of elector ...	1. 2. 3. 4.	
2. Signature of elector.	5. 6.	

(Back of Outerfoil)

1. You have votes.

2. Put a cross or crosses against the name of ~~each of~~ the candidate / ~~the candidates~~ for whom you wish to vote.

3. You must *not* put more than crosses in all on the voting paper.

Serial No.

SCHEDULE D '

Rules for Building Grants (vide *rule 116)*

1. In the case of non-recurring expenditure on schools maintained or approved by local authorities under the provisions of the Bombay Primary Education Act, 1923, and the rules thereunder, a grant of money, hereinafter referred to as a building grant, may be given to local authorities in aid of erecting, purchasing, enlarging, rebuilding or improving school buildings.

2. (*i*) Applications for non-recurring grants will be considered according to the priority of their receipt. Government reserve to themselves the fullest discretion in disposing of them according to the funds available.

(*ii*) Applications for building grants must be submitted in the following form, within one year of the date of the completion of the work, to the Director of Public Instruction, who will dispose of them in accordance with the provisions of the Bombay Primary Education Act, 1923, and the rules thereunder and the means at his disposal:—

Form of Application for Building Grant

(1) Locality.

(2) Name of the Institution.

(3) Whether the school is a Local Authority District Local Board, Local Authority Municipal, non-Local Authority Municipal, or an Approved School. If an Approved School, whether it falls under class A or class B.

(4) The specific purpose for which the grant is claimed, i.e. whether the grant is required for the construction or for the purchase of a school building, for making additions and alterations to an old one, for effecting special repairs to an existing building resulting in an increase in the original value of the building or for the purpose of purchasing a site.

(5) The total cost as detailed below and the proportion which the grant bears to it:—

(*a*) Value of the work as certified by the Government Executive Engineer of the division.

(*b*) Establishment and tools and plant charges, and the rate per cent.

(6) (*a*) Total area of the class room accommodation, and (*b*) the number of pupils for whom the building is intended.

(7) Amount of grant.

(8) Whether the Institution has previously received a building grant from Government; if so, how much, when and under what orders.

(9) If a trust deed has been executed, the number and date of the last Government Resolution or of the letter of the Director of Public Instruction in the matter.

(10) How the site (described below) has been acquired. If it has been granted by Government, under what orders and terms:—

(*a*) The site measures—

Feet.

from North to South { on the eastern side / on the western side

and

from East to West { on the northern side / on the southern side

(*b*) The site is bounded—

on the North by

on the South by

on the East by

and

on the West by

(*c*) Area of the site.

(11) Whether the title of the managers to the site mentioned above is good. If it has previously been declared to be good and in order, the Director of Public Instruction's number and date (if any) in the matter. Whether the entire site mentioned above has been covered by the trust-deed referred to in item No. (9) above.

(12) Whether the plans (including the site plan) and estimates have been approved, and if so, by whom; a copy of the certificate given by such approving officers being furnished with the application, in case the plans and estimates are not countersigned by them, in token of approval.

(13) The agency by which the work was carried out.

(14) The date of the commencement of the work.

(15) The date of the completion of the work.

(16) Whether the managers are willing to get the building insured, if in the opinion of the Executive Engineer the insurance is necessary.

(17) Whether the managers are willing to execute a trust-deed or agreement in case the grant is given.

(18) Actual expenditure incurred on the work.

(19) Particulars regarding item (number) in the pertinent Audit Note on the accounts of the School Board, against which the actual expenditure mentioned above stands :—

(*a*) Year of the Audit Note.

(*b*) Page (number).

(*c*) Appendix.

(*d*) Serial or Item (number).

(*e*) Aggregate amount, if any, in which the actual expenditure has been included.

(20) Whether the actual expenditure mentioned against item No. 18 above has actually been excluded from the expenditure on which recurring grants to the Local Authority for Primary Education were based.

(21) Whether any public contributions for the purpose mentioned in item No. (4) above were received, and if so, what amount and in what year?

(22) Whether quarters for teachers have been provided on the premises of the school, and if so, whether any, and what amount of expenditure was incurred on the quarters in this case, and whether it has been included in the expenditure mentioned in item (18) above.

Certified that the Local Authority has received no grant from Government for the work described in this application.

Dated

Chairman, President / Vice-President, (Chief Officer),

Local Authority,
District Local Board.
Municipality.

School Board,
Local Authority,
District Local Board.
Municipality.

[3. Grants made under rules 114, 115 and 120 of the Bombay Primary Education Rules, 1924, shall not exceed—

(*a*) The limit per pupil as laid down by Government from time to time.

(*b*) Two-thirds of the approved expenditure, if the local authority is a District Local Board, and one-half of the approved expenditure, if the local authority is a Municipalily, and

(*c*) The net cost to the local authority after taking into account the amount or value of the popular contributions received by the local authority in respect of the building, etc.

Explanation 1.—In calculating the total expenditure, the cost of the building materials or labour may be taken into calculation at such valuation as Government may be pleased to fix.

Explanation 2.—In the case of school buildings, etc., which have been constructed by local authorities with the aid of public contributions, either in cash or in kind, the grant shall be calculated on the gross expenditure incurred on the buildings, etc., at two-thirds, if the local authority is a District Local Board, or one-half, if the local authority is a Municipality.

Nothing in this rule shall be deemed to compel Government to give the maximum of the grant under rule 115 or 120 of the Bombay Primary Education Rules, 1924. The payment of the grant under the said rules will depend on the circumstances of each case and upon the financial condition of Government.

4. Before a building grant is sanctioned Government must be satisfied—

(*i*) that the means relied upon have actually been raised and are available, a declaration to this effect is appended to the application;

(*ii*) that the building is intended for and will be devoted to educational purposes, and in part to secular education, and that it is suited as to site and character for the requirements of the locality where it is designed to build it;

(*iii*) that the plans, estimates, and specifications are satisfactory, for which purpose a certified copy of them must be forwarded with the application, to be submitted thereafter for the report of the Public Works Department, in which Department it will be finally recorded;

(*iv*) that the title of the managers to the site on which the building is to be erected is good and in order.

5. In order to show the title of the managers, the following documents and information should, as far as possible, be furnished :—

(*i*) Documents of title under which the managers acquired the property.

(*ii*) Documents of title and other evidence showing the undisturbed possession of the vendor or donor or other person from whom the managers acquired the property, or of the predecessors-in-title, for a period of at least 12 years prior to the date of the acquisition of the property by the managers.

(*iii*) Duly certified copies of all registered documents which cannot for sufficient reason be produced.

(*iv*) Evidence that those who on the documents produced dealt with the property were adult and competent to confer a title, e.g. as a sole owner, or as a manager of a Hindu joint family, or as a Hindu widow, alienating for a specific purpose allowed by law.

(*v*) Evidence that there are no encumbrances on the property, and a statement that the village record-of-rights and the indexes of the village Registrars', Sub-Registrars', and District Registrars' records relative to the property in question have been examined for 12 years prior to the acquisition by the manager.

(*vi*) A certified copy of any relevant entries in the Cantonment, Municipal or village records, or in the village record-of-rights or Register of Mutations, relating to the land.

(*vii*) Original receipts for any assessments or taxes paid in respect of the property.

(*viii*) A correct description of the property, its survey numbers and boundaries, and a map showing it and the adjoining properties and the position of any buildings on it. On the site plan the dimensions, boundaries and the north point

of the site should be marked and the area of the site mentioned. The site plan should be signed by a responsible officer of Government in token of its verification.

(*ix*) If the site has been granted by Government, the sanad granted by the Collector and if it has been acquired under the Land Acquisition Act, the Award Statement from the Land Acquisition Officer should be furnished.

If a manager professes to be acting for an association, corporation, society or other body of persons, the following will also be required :—

(*x*) A copy of the memorandum and articles of association or rules and regulations of the body on whose behalf he professes to be acting, so far as they relate to holding and dealing with immovable property, the receipt of grants-in-aid and the execution of deeds, or any other documents authorizing him to acquire the property on its behalf.

(*xi*) His authority (if any) to receive the grant and execute the trust deed on its behalf.

(*xii*) Information whether the association etc. is registered and, if so, when, where and under what Act.

(*xiii*) The title-deed vesting the property in the association etc. In any complicated case, or where there may be a doubt as to the validity of the title of the managers, the latter are recommended to avail themselves of adequate legal assistance in placing their title properly before the Law Officers of Government and, if necessary, rectifying their title.

Note.—All documents of title shall, if the grant is sanctioned, be retained by Government, who shall be entitled to the possession thereof.

6. A building for which an application for a grant is to be made is not to be commenced until the plans (including the site plan) and estimates have been approved in writing by (1) the President of the local authority, (2) the Chairman of the School Board, (3) the Engineer of the local authority or the Executive Engineer of the district, (4)* the Health Officer of the local authority or the Assistant Director of Public Health, and (5)* the Superintending Engineer, Public Health, Bombay, and until the expenditure has been approved as required by Rule 92, 114 or 120 of the Bombay Primary Education Rules, 1924.

7. The construction of buildings by private agency shall be permitted up to any amount subject to the following conditions:—

(1) That the plans and estimates are approved by the Public Works Department, the local authority and Sanitary authorities;

Note.—The permission of the Executive Engineer concerned should be obtained if the cost does not exceed Rs. 10,000, and that of the Chief or Superintending Engineer concerned if the cost exceeds Rs. 10,000, but does not exceed the limit of his powers. In all other cases the sanction of Government is necessary.

(2) That no deviations in the sanctioned plans are made without the previous permission, in writing, of the Executive Engineer; and

(3) That the Public Works Department authorities who approve the plans are satisfied as to the competency of the private agency by which the work is to be carried out.

Note.—As regards buildings in which reinforced concrete is used, they shall not be entrusted to private agency except in places where there are contractors specialized in this kind of work.

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* The approval of the Health Officer of the local authority or of the Assistant Director of Public Health in the case of the site plans and that of the Superintending Engineer, Public Health, Bombay, in the case of the work plans are required, and should be obtained.

Provided that from an engineering point of view the approval of a Superintending Engineer or of Government in the Public Works Department shall not be necessary in the following cases :—

(*a*) Where the plans and estimates are prepared or approved by a Government Executive Engineer and the estimates do not exceed Rs. 10,000;

(*b*) Where the plans and estimates are prepared or approved by the Engineer of a District Local Board, who has been appointed with the approval of Government and the estimates do not exceed Rs. 10,000;

(*c*) Where the plans and estimates are prepared or approved by the Engineer of a District Local Board, who has not been appointed with the approval of Government or by the Engineer of a local authority municipality and the estimates do not exceed Rs. 5,000.

8. If the local authority has applied for a grant-in-aid from Government on account of a school building, a certificate must be obtained from the Government Executive Engineer of the district that the building is in accordance with the sanctioned site and other plans, that the work has been satisfactorily carried out, and is in good condition and that the value thereof is, to the best of his knowledge and belief, not less than the amount on which the local authority is claiming a grant-in-aid.

9. A grant of money may be made for the purchase of a site in the same proportions as for building grants in rule 3 above. If a site required for building belongs to Government, it may be granted free or else its estimated value may be recovered from the grantee, less the amount of a money grant calculated as above

10. No portion of a building grant shall be paid to the managers of a school, unless and until they execute or agree to execute a trust deed or an agreement, as the case may be, in accordance with the requirements of the next following rule. If, however, the building is erected on a site already covered by a trust deed, a receipt may be sufficient.

11. If the cost of the Primary school building does not exceed Rs. 2,500 or if the total amount of the building grant does not exceed Rs. 1,000 and the building is in the opinion of the Director of Public Instruction of such a description that it is not worth while requiring the execution of a trust deed, he may accept from the managers a written agreement engaging—

(*a*) to maintain the building in proper repair;

(*b*) to manage the school in accordance with the rules and regulations of the Educational Department;

(*c*) to subject the school to inspection by that Department;

(*d*) to use the building as a school to be devoted wholly to education and in part to secular education; and

(*e*) to keep the building insured in the names of the managers and the Secretary of State jointly if this is considered necessary by the Executive Engineer;

(*f*) in the event of default being made by the managers in any of the preceding conditions to repay on demand by the Director of Public Instruction the aggregate amount of all building grants made by Government in respect of the school.

In every other case the managers shall execute a trust deed in such form as shall from time to time be approved by Government, either generally or specially in this behalf embodying conditions regarding—

(*g*) the construction and maintenance of the building;

(*h*) the insurance of the building;

(*i*) the times at which and the instalments in which the building grant shall be paid;

(*j*) the management and inspection of the school; and

(*k*) such other matters as Government think necessary.

Provision shall also be made in every such trust deed that in the event of default being made by the managers in the performance of any of the conditions thereof—

(*l*) the building grant, or so much of the same as shall not yet have been paid, shall lapse;

(*m*) the aggregate amount of the building grant or grants from time to time advanced by Government for the school shall be repayable to Government; and

(except in cases where the site is granted by a private person on condition that it should revert to him in the event of the site ceasing to be used for a school or on any other condition which precludes a transfer to the Secretary of State)

(*n*) for the purpose of recovering any moneys so due, Government may enter upon and take possession of and sell the building; and

(*o*) the building site, if granted by Government, may be resumed by them, and the building, if any, standing thereon may be entered upon and taken possession of by Government and may be used or disposed of by Government at their discretion, for educational purposes or, if it shall appear expedient to Government, for any other purpose.

*Every such trust deed shall be prepared at the expense of the managers by the Law Officers of Government.

* Standard forms of deeds and receipts are appended for use.

Note.—With reference to (*f*) and (*m*) above, if Government are satisfied that the school was closed through no default of the managers, account may be taken of any depreciation in the value of the building after expert revaluation which will take account of the state in which the building has been maintained by the managers and a proportionate reduction may be made in the amount to be claimed from the managers. In the case of a Primary school building for which an agreement has been accepted in lieu of a trust deed by the Director of Public Instruction the depreciation shall be calculated at a uniform rate of 4 per cent. per annum. If the Government grant extends to the acquisition of a site, account may be taken after expert revaluation, of any enhancement in the value of the site, and the proportionate share in such enhancement may operate as a set-off, either total or partial, against the reduction to be made in the refund due in respect of the grant for buildings.

12. Buildings in respect of which a building grant has been given must be insured irrespective of their value, for a sum representing the value of all work above plinth level, including flooring, in the names of the school managers and the Secretary of State jointly, provided that it shall not be necessary to insure a school building if the Executive Engineer has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing.

13. In addition to building grants as aforesaid Government will consider applications for grants-in-aid of building offices, boarding houses, gymnasia or of providing play-grounds, provided that the expenditure has previously been approved by the local authority and by the Government and that funds are available, and subject to such of the foregoing conditions as may be declared applicable by the Educational Department or to any others that may be imposed. Grants made under this rule are exceptional and Government are not pledged to give any fixed proportion, but will deal with each case on its merits and subject to financial considerations.

FORM I

Trust Deed to be executed by a Municipality under the Bombay Primary Education Rules, 1924.

[*Building Site not granted by Government.*]

THIS INDENTURE made the day of one thousand nine hundred and BETWEEN the Municipality of constituted under the Bombay District Municipal Act, 1901 (hereinafter referred to as "the Municipality") of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State" which expression shall include his successors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Municipality is possessed of and absolutely entitled in perpetuity free from incumbrances to the piece of land described in the schedule hereto and intended to be hereby assured AND WHEREAS the Municipality applied to the Secretary of State for a Building Grant-in-aid of Rupees for a school-house to be known as the and has satisfied the Director of Public Instruction, Bombay, that the building is intended for and will be devoted to educational purposes and in part to secular education that the plans estimates and specifications are satisfactory that the title of the Municipality to the piece of land described in the schedule hereto is good and in order and that the building constructed

AND WHEREAS by the rules now in force in the Presidency of Bombay for regulating the application of grants made by Government in aid of schools it is provided (*inter alia*) that no portion of a Building Grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Secretary of State has through the Government of Bombay sanctioned a Building Grant of Rupees , which sum has been duly paid and payment of which the Municipality hereby acknowledges in consideration of the Municipality executing to the Secretary of State such conveyance or assurance as is hereinafter contained which the Municipality has agreed to do AND WHEREAS the Commissioner, Division, has sanctioned the transfer hereby made and such sanction is

recorded in his Memorandum No. , dated the day of 19
NOW THIS INDENTURE WITNESSETH that in consideration of the premises and of the sum of Rupees paid as aforesaid by the Secretary of State to the Municipality the Municipality doth hereby grant convey and assign unto the Secretary of State ALL THAT piece or parcel of land described in the schedule hereto TOGETHER with all and singular the building and erections now being or which may hereafter be thereon expressly including the said building to be erected as aforesaid and all rights easements and appurtenances whatsoever usually held or occupied therewith or reputed to belong or be appurtenant thereto and also all fittings and fixtures being in and belonging to or used or to be used for the said school and all the estate right title interest claim and demand of the Municipality in and upon the said premises TO HOLD the said piece of land chattles and effects and all other premises expressed to be hereby assured unto and to the use of the Secretary of State according to the nature and tenure thereof respectively AND the Municipality doth hereby for itself and its successors covenant that it has power to grant all the said premises to the Secretary of State in manner aforesaid free from incumbrances and that the Municipality and every person claiming through or in trust for the Municipality will at all times at the cost of the Municipality execute and do all such assurances and things for the further or better assuring the said premises to the Secretary of State as aforesaid as shall be reasonably required AND it is hereby declared and agreed that the Secretary of State shall hold the said premises upon the trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Municipality to enter upon the said premises for the purposes and on the conditions following, namely, that the Municipality and its successors shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved of or as may be approved of by the Director of Public Instruction, Bombay, for and on behalf of the Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being, or which may hereafter be on the said piece of land to the end that the same may be always efficient for use for the purposes of a school;

(3) pay all rates, charges, assessments and expenses leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay;

(6) keep the said school at all times open to the inspection of the Inspecting Officers of the Bombay Educational Department; and

(7) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Municipality and the Secretary of State against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Secretary of State or his Agent for the time being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the policy or policies of such insurance and the receipt for the premiums paid thereon in respect of the current year and shall, unless the Municipality has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Municipality in the performance of any of the conditions hereinbefore mentioned the Building Grant or so much of the same as shall not then have been made shall lapse and the aggregate amount of the said Building Grant and all future Building Grants from time to time advanced by Government for the school shall be repayable to Government AND for the purposes of recovering any moneys so due to Government it shall be lawful for the Secretary of State to enter upon and take possession of the said premises and all buildings, fixtures and fittings thereon and to sell and

absolutely dispose of the same free from incumbrances and discharged from the trusts hereof in such manner as he or they in his or their absolute discretion shall see fit and apply the proceeds of such sale after payment thereout of all costs and expenses attending the same in or towards the recouping or reimbursing to the Secretary of State the moneys which may as aforesaid have become repayable or due to Government and pay the surplus if any to the Municipality or to such body or person whom the Secretary of State may consider lawfully entitled thereto and in any such event the Municipality shall forfeit to the Secretary of State all its rights or claim to, over or in respect of such policy or policies of insurance relating to the said buildings and the amount of premiums paid by it in respect of such insurance and the same shall then become absolutely the property of the Secretary of State IN WITNESS WHEREOF

the President

of the Municipality and

and two other

Councillors of the Municipality have hereunto set their hands and the common seal of the Municipailty hath been hereunto affixed and

, Esquire, hath by order of the Right Honourable the Governor of Bombay in Council set his hand and the seal of his office hereto for and on behalf of the Secretary of State for India in Council.

THE SCHEDULE ABOVE REFERRED TO

Description and boundaries of property:—

The piece or parcel of land measures in superficial area

square be the same a little more or less, situated

in the $\frac{\text{town}}{\text{village}}$ of and bearing number

in the taluka of in the district of

and in the registration sub-district of in the said district and measures from North to South feet and from East to West feet, be the same a little more or less, and is bounded as follows:—

on the North by

on the South by

on the East by

and on the West by

and is for greater clearness delineated on the plan hereto annexed and signed by the executing parties aforesaid.

Signed by

President,

and

and

two Councillors of the Municipality of } President.

and sealed with the common seal of the Municipality of } Councillors.

in the presence of

Common Seal.

Signed sealed and delivered by

, Esquire,

in the presence of

Official Seal.

FORM I-A

Trust Deed to be executed by a Local Board under the Bombay Primary Education Rules, 1924.

[*Building Site not granted by Government.*]

THIS INDENTURE made the day of one thousand nine hundred and BETWEEN the District Local Board of established under the Bombay Local Boards Act, 1923 (hereinafter referred to as "the Local Board") of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State" which expression shall include his successors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Local Board is possessed of and absolutely entitled in perpetuity free from incumbrances to the piece of land described in the schedule hereto and intended to be hereby assured AND WHEREAS the Local Board applied to the Secretary of State for a Building Grand-in-aid of Rupees for a school-house to be known as the school and has satisfied the Director of Public Instruction, Bombay, that the building is intended for and will be devoted to educational purposes and in part to secular education that the plans estimates and specifications are satisfactory that the title of the Local Board to the piece of land described in the schedule hereto is good and in order and that the building constructed AND WHEREAS by the rules now in force in the Presidency of Bombay for regulating the application of grants made by Government in aid of schools it is provided (*inter alia*) that no portion of a Building Grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Secretary of State has through the Government of Bombay sanctioned a Building Grant of Rupees which sum has been duly paid and payment of which the Local Board hereby acknowledges in consideration of the Local Board executing to the Secretary of State such conveyance or assurance as is hereinafter contained which the Local Board has agreed to do AND WHEREAS the Commissioner, Division, has sanctioned the transfer hereby made and such sanction is recorded in his memorandum No. dated the day of 193 NOW THIS INDENTURE WITNESSETH that in consideration of the premises and of the sum of Rupees paid as aforesaid by the Secretary of State to the Local Board the Local Board doth hereby grant convey and assign unto the Secretary of State ALL THAT piece or parcel of land described in the schedule hereto TOGETHER with all and singular the building and erections now being or which may hereafter be thereon expressly including the said building to be erected as aforesaid and all rights easements and appurtenances whatsoever usually held or occupied therewith or reputed to belong or be appurtenant thereto and also all fittings and fixtures being in and belonging to or used or to be used for the said School and all the estate right title interest claim and demand of the Local Board in and upon the said premises TO HOLD the said piece of land chattels and effects and all other premises expressed to be hereby assured unto and to the use of the Secretary of State according to the nature and tenure thereof respectively AND the Local Board doth hereby for itself and its successors covenant that it has power to grant all the said premises to the Secretary of State in manner aforesaid free from incumbrances and that the Local Board and every person claiming through or in trust for the Local Board will at all times at the cost of the Local Board execute and do all such assurances and things for the further or better assuring the said premises to the Secretary of State as aforesaid as shall be reasonably required AND it is hereby declared and agreed that the Secretary of State shall hold the said premises upon the trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Local Board to enter upon the said premises for the purposes and on the conditions following namely that the Local Board and its successors shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved of or as may be approved of by the Director of Public Instruction, Bombay, for and on behalf of the Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which may hereafter be on the said piece of land to the end that the same may be always efficient for use for the purposes of a school;

(3) pay all rates charges assessments and expenses leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay;

(6) keep the said school at all times open to the inspection of the inspecting officers of the Bombay Educational Department; and

(7) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Local Board and the Secretary of State against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Secretary of State or his Agent for the time being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the policy or policies of such insurance and the receipt for the premiums paid thereon in respect of the current year and shall, unless the Local Board has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Local Board in the performance of any of the conditions hereinbefore mentioned the Building Grant or so much of the same as shall not then have been made shall lapse and the aggregate amount of the said Building Grant and all future Building Grants from time to time advanced by Government for the school shall be repayable to Government AND for the purposes of recovering any moneys so due to Government it shall be lawful for the Secretary of State to enter upon and take possession of the said premises and all buildings fixtures and fittings thereon and to sell and absolutely dispose of the same free from incumbrances and discharged from the trusts hereof in such manner as he or they in his or their absolute discretion shall see fit and apply the proceeds of such sale after payment thereout of all costs and expenses attending the same in or towards the recouping or reimbursing to the Secretary of State the moneys which may as aforesaid have become repayable or due to Government and pay the surplus if any to the Local Board or to such body or person whom the Secretary of State may consider lawfully entitled thereto and in any such event the Local Board shall forfeit to the Secretary of State all its right or claim to, over or in respect of such policy or policies of insurance relating to the said buildings and the amount of premiums paid by it in respect of such insurance and the same shall then become absolutely the property of the Secretary of State. IN WITNESS WHEREOF the President of the Local Board and
and two other Members of the Local Board
have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed and
Esquire hath by order of the Right Honourable the Governor of Bombay in Council set his hand and the seal of his office hereto for and on behalf of the Secretary of State for India in Council.

THE SCHEDULE ABOVE REFERRED TO

Description and boundaries of property:—

The piece or parcel of land measures in superficial area
square
be the same a little more or
less situated in the $\frac{\text{town}}{\text{village}}$ of and bearing
number in the taluka of in the district
of and in the Registration sub-district of
in the said district and measures from North to South feet

and from East to West
be the same a little more or less and is bounded as follows: -

on the North by

on the South by

on the East by

and on the West by

and is for greater clearness delineated on the plan hereto annexed and signed by the executing parties aforesaid.

Signed by
President
and
and
two members of the Local Board of
and sealed with the common seal of the
Local Board of
in the presence of

President.

} Members.

Common Seal.

Signed, Sealed and Delivered by
, Esquire,
in the presence of

Official Seal.

FORM II

Trust Deed to be executed by a Municipality under the Bombay Primary Education Rules, 1924.

[*Building Site granted by Government.*]

THIS INDENTURE made the day of one thousand nine hundred and BETWEEN the Municipality of constituted under the Bombay District Municipal Act, 1901 (hereinafter referred to as "the Municipality") of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State" which expression shall include his successors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Municipality has applied to Government for a Building Site for a school at and for a Building Grant-in-aid of such school and has satisfied the Director of Public Instruction, Bombay, that the building is intended for and will be devoted to educational purposes and in part to secular education that the plans estimates and specifications are satisfactory and that the building constructed AND WHEREAS by the rules now in force in the Presidency of Bombay for regulating the application of grants made by Government in aid of schools it is provided (*inter alia*) that no portion of a Building Grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Secretary of State has agreed to allot the piece or parcel of land valued at Rupees described in the schedule hereto and to hold the same for the purposes of the said school in manner hereinafter appearing and has through the Government of Bombay sanctioned a Building Grant of Rupees paid to the Municipality and the Municipality has

agreed to execute these presents AND WHEREAS the Commissioner, Division, has sanctioned the transfer hereby made and such sanction is recorded in his memorandum No. , dated the . NOW IT IS HEREBY DECLARED AND AGREED by and between the parties hereto that the Secretary of State shall hold and stand possessed of the piece of land described in the schedule hereto and all buildings which now are erected or may for the time being be erected thereon and also all fittings and fixtures which now are or may for the time being be on the premises upon the trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Municipality to enter upon the said premises for the purposes and on the conditions following, namely, that the Municipality and its successors shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved of, or as may be approved of, by the Director of Public Instruction, Bombay, for and on behalf of the Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being, or which may hereafter be, on the said piece of land to the end that the same may be always efficient for use for the purposes of a school;

(3) pay all rates, charges, assessments and expenses leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay;

(6) keep the said school at all times open to inspection of the Inspecting Officers of the Bombay Educational Department; and

(7) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Municipality and the Secretary of State against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Secretary of State or his Agent for the time being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the policy or policies of such insurance and the receipt for the premiums paid thereon in respect of the current year and shall, unless the Municipality has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Municipality in the performance of any of the conditions hereinbefore mentioned the said building grant and any future building grants from time to time made by Government in respect of the said school or so much of the same as shall not then have been made shall lapse and it shall be lawful for the Secretary of State at any time thereafter to enter upon and take possession of the said premises and all buildings fittings and fixtures for the time being on the said premises and the same shall be and become absolutely the property of the Secretary of State free from incumbrances and discharged from the trusts hereof and from all claims (including the right or claim to, over or in respect of the policy or policies of insurance relating to the said buildings and the amount of premiums paid in respect of such insurance) of the Municipality or its successors, representatives and assigns and all other persons whomsoever IN WITNESS WHEREOF the President of the Municipality and and two other Councillors of the Municipality have hereunto set their hands and the common seal of the Municipality hath been hereunto affixed and , Esquire, hath by order of the Governor of Bombay in Council set his hand and the seal of his office hereto for and on behalf of the Secretary of State for India in Council.

THE SCHEDULE ABOVE REFERRED TO

Description and boundaries of property :—

The piece or parcel of land measures in superficial area square be the same a little more or less situated in the town/village of and bearing number in the taluka of in the district of and in the Registration sub-district of in the said district and measures from North to South feet and from East to West feet be the same a little more or less and is bounded as follows :—

on the North by
on the South by
on the East by
and on the West by

and is for greater clearness delineated on the plan hereto attached and signed by the executing officers aforesaid.

Signed by President } President.
and
and } Councillors.
two Councillors of the Municipality of
and sealed with the common seal
of the Municipality of
in the presence of

Common Seal.

Signed, Sealed and Delivered by , Esquire, in the presence of

Official Seal.

FORM II-A

Trust Deed to be executed by a Local Board under the Bombay Primary Education Rules, 1924.

[*Building Site granted by Government.*]

THIS INDENTURE made the day of one thousand nine hundred and BETWEEN the District Local Board of established under the Bombay Local Boards Act, 1923 (hereinafter referred to as "the Local Board")

of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as " the Secretary of State" which expression shall include his successors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Local Board has applied to Government for a Building Site for a school at
and for a Building Grand-in-aid of such school and has satisfied the Director of Public Instruction, Bombay, that the building is intended for and will be devoted to educational purposes and in part to secular education that the plans estimates and specifications are satisfactory and that the building constructed
AND WHEREAS by the rules now in force in the Presidency of Bombay for regulating the application of grants made by Government in aid of schools it is provided (*inter alia*) that no portion of a Building Grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Secretary of State has agreed to allot the piece or parcel of land valued at Rupees described in the schedule hereto and to hold same for the purposes of the said school in manner hereinafter appearing and has through the Government of Bombay sanctioned a Building Grant of Rupees paid to the Local Board and the Local Board has agreed to execute these presents. And whereas the Commissioner Division has sanctioned the transfer hereby made and such sanction is recorded in his memorandum No. , dated the , NOW IT IS HEREBY DECLARED AND AGREED by and between the parties hereto that the Secretary of State shall hold and stand possessed of the piece of land described in the schedule hereto and all buildings which now are erected or may for the time being be erected thereon and also all fittings and fixtures which now are or may for the time being be on the premises upon trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Local Board to enter upon the said premises for the purposes and on the conditions following, namely that the Local Board and its successors shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved of, or as may be approved of, by the Director of Public Instruction, Bombay, for and on behalf of the Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being, or which may hereafter be, on the said piece of land to the end that the same may be always efficient for use for the purposes of a school;

(3) pay all rates charges assessments and expenses leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay;

(6) keep the said school at all times open to the inspection of the Inspecting Officers of the Bombay Educational Department; and

(7) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Local Board and the Secretary of State against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Secretary of State or his Agent for the time being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the policy or policies of such insurance and the receipt for the premiums paid thereon in respect of the current year and shall, unless the Local Board has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Local Board in the performance of any of the conditions

hereinbefore mentioned the said building grant and any future building grants from time to time made by Government in respect of the said school or so much of the same as shall not then have been made shall lapse and it shall be lawful for the Secretary of State at any time thereafter to enter upon and take possession of the said premises and all buildings fittings and fixtures for the time being on the said premises and the same shall be and become absolutely the property of the Secretary of State free from incumbrances and discharged from the trusts hereof and from all claims (including the right or claim to, over or in respect of the policy or policies of insurance relating to the said buildings and the amount of premiums paid in respect of such insurance) of the Local Board or its successors, representatives and assigns and all other persons whomsoever IN WITNESS WHEREOF the President of the Local Board and and two other members of the Local Board have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed and , Esquire, hath by order of the Governor of Bombay in Council set his hand and the seal of his office hereto for and on behalf of the Secretary of State for India in Council.

THE SCHEDULE ABOVE REFERRED TO

Description and Boundaries of property:—

The piece or parcel of land measures in superficial area square be the same a little more or less situated in the town/village of and bearing number in the taluka of in the district of and in the Registration sub-district of in the said district and measures from North to South feet and from East to West feet be the same a little more or less and is bounded as follows:—

on the North by

on the South by

on the East by

and on the West by

and is for greater clearness delineated on the plan hereto annexed and signed by the executing parties aforesaid.

Signed by President } President.
and
and
two Members of the Local Board of } Members.
and sealed with the common seal
of the Local Board of
in the presence of

Common Seal.

Signed, Sealed and Delivered by , Esquire, in the presence of

Official Seal.

FORM III

Trust Deed to be executed by a Municipality under the Bombay Primary Education Rules, 1924.

[*Part of Building site granted by Government and part the property of a Municipality and transferred to the Secretary of State.*]

THIS INDENTURE made the day of one thousand nine hundred and BETWEEN the Municipality of constituted under the Bombay District Municipal Act, 1901 (hereinafter referred to as "the Municipality") of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State" which expression shall include his successors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Municipality is possessed of and absolutely entitled in perpetuity free from incumbrances to a piece of land described in the first schedule hereunder written and has applied to Government for the adjoining piece of land described in the second schedule hereto so that the two pieces of land may be together used as a building site for a school at
and has also applied to Government for a building grant-in-aid of such school and has satisfied the Director of Public Instruction Bombay that the building is intended for and will be devoted to educational purposes and in part to secular education AND WHEREAS the plans estimates and specifications for the school have been approved of by the Director of Public Instruction AND WHEREAS by the rules in force in the Presidency of Bombay for regulating the application of grants made by Government in aid of schools it is provided (*inter alia*) that no portion of a building grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Secretary of State has through the Government of Bombay sanctioned a building grant of Rupees
in consideration of the Municipality executing this deed and conveying and assuring to the Secretary of State the piece of land described in the first schedule hereto and the Secretary of State has agreed to hold the whole of the two pieces of land described in the first and second schedules hereto (that described in the second schedule already belonging to the Secretary of State being valued at Rupees) for the purposes of the said school in manner hereinafter appearing AND WHEREAS the Commissioner Division has sanctioned the transfer hereby made and such sanction is recorded in his memorandum No. , dated the day of 19 NOW THIS INDENTURE WITNESSETH that in consideration of the premises and of the sum of Rupees
paid to the Municipality (receipt whereof is hereby acknowledged) and of the declarations hereinafter contained the Municipality doth hereby grant convey and assign unto the Secretary of State ALL THAT piece of land described in the first schedule hereto TOGETHER with all and singular the buildings and erections now being or which may hereafter be thereon or on any part of the said land described in the schedules hereto or either of them and all rights easements and appurtenances usually held or occupied with the premises or reputed to belong or be appurtenant thereto and also all fittings and fixtures being in and belonging to or used or to be used in or in the said buildings and premises and all the estate right title interest claim and demand of the Municipality into and upon the said premises TO HOLD the same unto and to the use of the Secretary of State according to the nature or tenure thereof AND the Municipality doth hereby for itself and its successors covenant with the Secretary of State that it has power to grant the premises hereinbefore expressed to be hereby granted to the Secretary of State free from incumbrances AND that the Municipality and its successors and every person claiming any interest therein will at the cost of the Municipality execute and do all such acts and things for the further or better assuring the said premises to the Secretary of State his successors or assigns as shall be reasonably required AND IT IS HEREBY DECLARED AND AGREED that the Secretary of State shall hold and stand possessed of the pieces of land described in the schedules hereto and all buildings which are now erected or may for the time being be erected thereon and also all fittings and fixtures which now are or may for the time being be on the said premises upon the trusts and to and for the intents and purposes following that is to say UPON TRUST to permit the Municipality to enter upon the said premises for the purposes and on the conditions following which conditions the

Municipality for itself and its successors covenants to perform and abide by, viz. that the Municipality and its successors shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved of or as may be approved of by the Director of Public Instruction Bombay for and on behalf of the Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which may hereafter be on the said pieces of land to the end that the same may be always efficient for use for the purposes of a school;

(3) pay all rates charges assessments and expensess leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay;

(6) keep the said school at all times open to the inspection of the Inspecting Officers of the Bombay Educational Department; and

(7) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of has issued a certifiate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Municipality and the Secretary of State against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Secretary of State or his Agent for the time being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the policy or policies of such insurance and the receipt for the premiums paid thereon in respect of the current year and shall, unless the Municipality has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Municipality in the performnace of any of the conditions hereinbefore mentioned the said building grant and any future building grants from time to time made by Government in respect of the said school or so much of the same as shall not then have been male shall lapse and it shall be lawful for the Secretary of State at any time thereafter to enter upon and take possession of the said premises and all buildings fittings and fixtures for the time being on the said premises and the same shall be and become absolutely the property of the Secretary of State free from incumbrances and discharged from the trusts hereof and from all claims (including the right or claim to, over or in respect of the policy or policies of insurance relating to the said buildings and the amount of premiums paid in respect of such insurance) of the Municipality, its successors, representatives and assigns and all other persons whomsoever IN WITNESS WHEREOF
President and
and as two other Councillors of the Municipality have hereunto set their hands and the common seal of the Municipality hath been hereunto affixed and , Esquire, hath by order of the Governor of Bombay in Council set his hand and the seal of his office hereto for and on behalf of the Secretary of State for India in Council.

THE SCHEDULES ABOVE REFERRED TO

SCHEDULE I

The piece or parcel of land measures in superficial area square feet be the same a little more or less situated in the $\frac{\text{town}}{\text{village}}$ of and bearing survey number in the taluka of in the district of and in the Registration Sub-district of in the said

district and measures from North to South feet and from East to West feet be the same a little more or less and is bounded as follows:—

on the North by
on the South by
on the East by
and on the West by

and is for greater clearness delineated on the plan hereto annexed marked A and signed by the executing parties aforesaid.

SCHEDULE II

The piece or parcel of land measures in superficial area square feet be the same a little more or less situated in the town / village of and bearing survey number in the taluka of in the district of and in the Registration Sub-district of in the said district and measures from North to South feet and from East to West feet be the same a little more or less and is bounded as follows:—

on the North by
on the South by
on the East by
and on the West by

and is for greater clearness delineated on the plan hereto annexed marked B and signed by executing parties aforesaid.

Signed by the above-named President and and two other Councillors of the Municipality of and sealed with the common seal of the Municipality of in the presence of

President.

Councillors.

Common Seal.

Signed Sealed and Delivered by the above-named , Esquire, in the presence of

Official Seal.

FORM III-A

Trust Deed to be executed by a Local Board under the Bombay Primary Education Rules, 1924.

[*Part of Building Site granted by Government and part the property of a Local Board and transferred to the Secretary of State.*]

THIS INDENTURE made the day of one thousand nine hundred and BETWEEN the District Local Board of established under the Bombay Local Boards Act 1923 (hereinafter referred to as "the Local Board") of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State" which expression shall include his sucessors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Local Board is possessed of and absolutely entitled in perpetuity free from incumbrances to a piece of land described in the first schedule hereunder written and has applied to Government for the adjoining piece of land described in the second schedule hereto so that the two pieces of land may be together used as a Building Site for a school at and has also applied to Government for a Building Grant-in-aid of such school and has satisfied the Director of Public Instruction, Bombay, that the building is intended for and will be devoted to educational purposes and in part to secular education AND WHEREAS the plans estimates and specifications for the school have been approved of by the Director of Public Instruction AND WHEREAS by the rules in force in the Presidency of Bombay for regulating the application of grants made by Government in aid of schools it is provided (*inter alia*) that no portion of a building grant shall be paid to the managers of a school unless and until they execute or agree to execute a trust deed as in the said rules provided AND WHEREAS the Secretary of State has through the Government of Bombay sanctioned a Building Grant of Rupees in consideration of the Local Board executing this deed and conveying and assuring to the Secretary of State the piece of land described in the first schedule hereto and the Secretary of State has agreed to hold the whole of the two pieces of land described in the first and second schedules hereto (that described in the second schedule already belonging to the Secretary of State being valued at Rupees) for the purposes of the said school in manner hereinafter appearing AND WHEREAS the Commissioner Division has sanctioned the transfer hereby made and such sanction is recorded in his Memorandum No. , dated the day of 19 NOW THIS INDENTURE WITNESSETH that in consideration of the premises and of the sum of Rupees paid to the Local Board (receipt whereof is hereby acknowledged) and of the declarations hereinafter contained the Local Board doth hereby grant convey and assign unto the Secretary of State ALL THAT piece of land described in the first schedule hereto TOGETHER with all and singular the buildings and erections now being or which may hereafter be thereon or on any part of the said land described in the schedules hereto or either of them and all rights easements and appurtenances usually held or occupied with the premises or reputed to belong or be appurtenant thereto and also all fittings and fixtures being in and belonging to or used or to be used in or in the said buildings and premises and all the estate right title interest claim and demand of the Local Board into and upon the said premises TO HOLD the same unto and to the use of the Secretary of State according to the nature or tenure thereof AND the Local Board doth hereby for itself and its successors covenant with the Secretary of State that it has power to grant the premises hereinbefore expressed to be hereby granted to the Secretary of State free from incumbrances AND that the Local Board and its successors and every person claiming any interest therein will at the cost of the Local Board execute and do all such acts and things for the further or better assuring the said premises to the Secretary of State his successors or assigns as shall be reasonably required AND IT IS HEREBY DECLARED AND AGREED that the Secretary of State shall hold and stand possessed of the pieces of land described in the schedules hereto and all buildings which are now erected or may for the time being be erected thereon and also all the fittings and fixtures which now or may for the time being be on the said premises upon the trust and to and for the intents and purposes following that is to say UPON TRUST to permit the Local Board to enter upon the said premises for the purposes and on the conditions following which conditions the Local

Board for itself and its successors covenants to perform and abide by namely that the Local Board and its successors shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved of or as may be approved of by the Director of Public Instruction, Bombay, for and on behalf of the Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which may hereafter be on the said pieces of land to the end that the same may be always efficient for use for the purposes of a school;

(3) pay all rates charges assessments and expenses leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay;

(6) keep the said school at all times open to the inspection of the Inspecting Officers of the Bombay Educational Department; and

(7) keep at all times the building or buildings already erected or which may hereafter be erected on the said premises in respect of which a building grant has been given (except the building or buildings in respect of which the Executive Engineer of has issued a certificate that in his opinion the risk of fire is not sufficiently great as to render insurance desirable and so long as such certificate has not been cancelled by the Executive Engineer in writing) insured in the joint names of the Local Board and the Secretary of State against loss or damage by fire in a sum equal to the cost of such building or buildings including flooring but exclusive of foundation and plinth at the least in some respectable insurance office to be approved by the Secretary of State or his Agent for the time being and regularly pay the premiums which shall become payable in respect of such insurance and whenever thereunto required so to do, produce to him the policy or policies of such insurance and the receipt for the premiums paid thereon in respect of the current year and shall, unless the Local Board has forfeited its right or claim to such policy or policies of insurance as hereinafter provided apply all moneys which may be received by virtue of any such policy or policies in rebuilding or reinstating the premises destroyed or damaged.

PROVIDED ALWAYS and it is hereby declared and agreed that in the event of default being made by the Local Board in the performance of any of the conditions hereinbefore mentioned the said building grant and any future building grants from time to time made by Government in respect of the said school or so much of the same as shall not then have been made shall lapse and it shall be lawful for the Secretary of State at any time thereafter to enter upon and take possession of the said premises and all buildings fittings and fixtures for the time being on the said premises and the same shall be and become absolutely the property of the Secretary of State free from incumbrances and discharged from the trusts hereof and from all claims (including the right or claim to, over or in respect of the policy or policies of insurance relating to the said buildings and the amount of premiums paid in respect of such insurance) of the Local Board, its successors, representatives and assigns and all other persons whomsoever IN WITNESS WHEREOF

President and and as two other Members of the Local Board have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed and

, Esquire, hath by order of the Governor of Bombay in Council set his hand and the seal of his office hereto for and on behalf of the Secretary of State for India in Council.

THE SCHEDULES ABOVE REFERRED TO

SCHEDULE I

The piece or parcel of land measures in superficial area square be the same a little more or less situated in the $\frac{\text{town}}{\text{village}}$ of and bearing

number in the taluka of

in the district of and in the Registration
sub-district of in the said district and measures
from North to South feet and from East to West
feet be the same a little more or less

and is bounded as follows:—

on the North by
on the South by
on the East by
and on the West by

SCHEDULE II

The piece or parcel of land measures in superficial area

square
be the same a little

more or less situated in the $\frac{\text{town}}{\text{village}}$ of and bearing

number in the taluka of

in the district of and in the Registration
Sub-district of in the said district and measures
from North to South feet and from
East to West feet
be the same a little more or less, and is bounded as follows:—

on the North by
on the South by
on the East by
and on the West by

and is for greater clearness delineated on the plan hereto annexed and signed by the executing parties aforesaid.

Signed by President
and
and two
other Members of the Local Board of
and sealed with the common seal of
the Local Board of
in the presence of

President.

Members.

Common Seal.

Signed, Sealed and Delivered by
, Esquire, in
the presence of

Official Seal.

FORM IV

Trust Deed to be executed by a Municipality under the Bombay Primary Education Rules, 1924.

[*Building Site acquired by a Municipality from a private person on condition that it should revert to him in the event of the site ceasing to be used for a school or any other condition which precludes a transfer to the Secretary of State.*]

THIS INDENTURE made the day of one thousand nine hundred and BETWEEN the Municipality of constituted under the Bombay District Municipal Act 1901 (hereinafter referred to as the Municipality) of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State" which expression shall include his successors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Municipality is possessed of the piece of land described in the schedule hereto and has applied to the Secretary of State for a Building Grant-in-aid of and have satisfied the Director of Public Instruction Bombay that the Building is intended for and will be devoted to educational purposes and in part to secular education that the plans estimates and specifications are satisfactory that the Municipality are possessed of the said piece of land and that the Building will be within months from AND WHEREAS by the rules now in force in the Presidency of Bombay for regulating the application of grants made by Government in aid of schools it is provided (*inter alia*) that no portion of a Building Grant shall be paid to the Managers of a school unless and until they execute or agree to execute a deed or agreement as in the said rules provided AND WHEREAS the Secretary of State has through the Government of Bombay sanctioned a Building Grant of Rupees in consideration of the Municipality entering into the covenants hereinafter contained NOW THIS INDENTURE WITNESSETH that in consideration of the sum of Rupees paid by the Secretary of State to the Municipality the Municipality doth hereby for itself and its successors covenant with the Secretary of State that the Municipality and its successors or other the Managers for the time being of the school carried on in the buildings erected or to be erected on the premises described in the schedule hereto shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved or as may be approved by the Director of Public Instruction Bombay for and on behalf of the said Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which may hereafter be on the said piece of land to the end that the same may be always efficient for use for the purposes of a school;

(3) pay all the rates charges assessments and expenses leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay; and

(6) keep the said school at all times open to the inspection of the Inspecting Officers of the Bombay Educational Department;

AND in the event of default being made by the Municipality or its successors or by the managers for the time being of the said school in the performance of any of the covenants or conditions numbered (1) to (6) hereinbefore mentioned the Municipality or its successors will on demand by or on behalf of the Secretary of State pay to the Secretary of State the amount of the said grant-in-aid of Rupees together with the amount or amounts of all further building grants-in-aid (if any) made by the Government for or in respect of the

said school but without interest prior to the date of such demand. IN WITNESS whereof
President and
and
as two other Councillors of the Municipality have hereunto set their hands and the common seal of the Municipality hath been hereunto affixed.

THE SCHEDULE ABOVE REFERRED TO

Description and boundaries of property:—

The piece or parcel of land measures in superficial area
square be the same
a little more or less, situated in the $\frac{\text{town}}{\text{village}}$ of
and bearing number in the taluka
of in the district of and
in the Registration Sub-district of
in the said district and measures from North to South
feet and from East to West feet be the same a
little more or less and is bounded as follows:—

on the North by
on the South by
on the East by
and on the West by

Signed by
President
and
and
two Councillors of the Municipality
of
and sealed with the common seal of the
Municipality of
in the presence of

President.

Councillors.

Common Seal.

FORM IV-A

Trust Deed to be executed by a Local Board under the Bombay Primary Education Rules, 1924.

[*Building Site acquired by a Local Board from a private person on condition that it should revert to him in the event of the site ceasing to be used for a school or any other condition which precludes transfer to the Secretary of State.*]

THIS INDENTURE made the day
of one thousand nine hundred and BETWEEN the
District Local Board of established under the Bombay
Local Boards Act 1923 (hereinafter referred to as "the Local Board") of the one part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter referred to as "the Secretary of State" which expression shall include his successors in office and assigns unless such interpretation shall be excluded by or be repugnant to the context) of the other part WHEREAS the Local Board is possessed of the piece of land described in the schedule hereto and has applied to the Secretary of State for a Building Grant-in-aid of and have

satisfied the Director of Public Instruction Bombay that the Building is intended for and will be devoted to educational purposes and in part to secular education that the plans estimates and specifications are satisfactory that the Local Board are possessed of the said piece of land and that the building will be within months from AND WHEREAS by the rules now in force in the Presidency of Bombay for regulating the application of grant, made by Government in aid of schools it is provided (*inter alia*) that no portion of a Building Grant shall be paid to the Managers of a school unless and until they execute or agree to execute a deed or agreement as in the said rules provided AND WHEREAS the Secretary of State has through the Government of Bombay sanctioned a Building Grant of Rupees in consideration of the Local Board entering into the covenants hereinafter contained NOW THIS INDENTURE WITNESSETH that in consideration of the sum of Rupees paid by the Secretary of State to the Local Board the Local Board doth hereby for itself and its successors covenant with the Secretary of State that the Local Board and its successors or other the Managers for the time being of the school carried on in the buildings erected or to be erected on the premises described in the schedule hereto shall—

(1) construct within months from the date hereof buildings thereon according to the plans and specifications approved or as may be approved by the Director of Public Instruction Bombay for and on behalf of the said Secretary of State;

(2) maintain and keep at all times in good and substantial repair and condition all the buildings now being or which may hereafter be on the said piece of land to the end that the same may be always efficient for use for the purposes of school;

(3) pay all the rates charges assessments and expenses leviable or chargeable in respect of the premises and buildings;

(4) use all the premises and buildings as and for the purposes of a public school to be devoted wholly to education and in part to secular education;

(5) manage and conduct the said school in all respects in accordance with the rules and regulations for the time being in force of the Educational Department in Bombay; and

(6) keep the said school at all times open to the inspection of the Inspecting Officers of the Bombay Educational Department;

AND in the event of default being made by the Local Board or its successors or by the Managers for the time being of the said school in the performance of any of the covenants or conditions numbered (1) to (6) hereinbefore mentioned the Local Board or its successors will on demand by or on behalf of the Secretary of State pay to the Secretary of State the amount of the said Grant-in-aid of Rupees together with the amount or amounts of all further building grants-in-aid (if any) made by the Government for or in respect of the said school but without interest prior to the date of such demand. IN WITNESS whereof President and and as two other Members of the Local Board have hereunto set their hands and the common seal of the Local Board hath been hereunto affixed.

THE SCHEDULE ABOVE REFERRED TO

Description and boundaries of property:—

The piece or parcel of land measures in superficial area square be the same a little more or less, situated in the $\frac{\text{town}}{\text{village}}$ of and bearing number in the taluka of in the district of and in the Registration Sub-district of in the said district and measures from North to South feet and from East to West feet be the same a little more or less and is bounded as follows:—

on the North by

on the South by

on the East by

and on the West by

and is for greater clearness delineated on the plan hereto annexed signed by the aforesaid President and two Members.

Signed by President and and two members of the Local Board of and sealed with the common seal of the Local Board of in the presence of

President.

} Members.

Common Seal.

FORM OF RECEIPT

For Local Boards and Municipalities

We* and† hereby acknowledge that, on the two Members of the day of 19 , the sum of (Rs. only) was paid to us by Government as a further building grant on account of to the at in the taluka of the district, and we hereby certify that the said amount of (Rs. only) has been received by us as a Grant-in-aid given subject to all the conditions mentioned in the indenture between the said and the Secretary of State for India in Council, dated the

One Anna Stamp.

Witnesses to signatures

Common Seal.

Dated 19

* Here enter the name of the President.

† Here enter the names of two Members.

SCHEDULE E

Rules indicating the procedure regarding execution of works pertaining to school buildings (vide *Rules 112, 114, 115, 116 and 120 of the Primary Education Rules, 1924)*

PART I—SPECIAL REPAIRS COSTING NOT MORE THAN Rs. 100 AND NOT ENHANCING THE ORIGINAL COST OF THE BUILDING AND CURRENT AND ORDINARY REPAIRS TO INDIVIDUAL SCHOOL BUILDINGS

A—Works costing Rs. 50 or less

Estimates.—To be submitted by the Head Masters and supervisors (or the School Committee in the case of non-local authority Municipalities).

Sanction.—To be sanctioned by the Administrative Officer and the Chairman, School Board.

Agency.—Local agency through the Head Master.

Completion certificates.—To be signed by (1) the supervisor of the beat, failing him a School Panch and (2) the Police Patel of the place. In the case of non-local authority Municipal Schools, the completion certificates should be countersigned by the Secretary or the Chief Officer of the non-local authority Municipality.

Bills.—To be scrutinized by the Administrative Officer and passed by the Chairman, School Board.

B—Works costing more than Rs. 50

Estimates.—To be framed by the Engineer of the Local Authority or where there is no Engineer by the Overseer of the Local Authority in consultation with the Administrative Officer.

Sanction.—To be sanctioned by the School Board.

Agency.—Through the Local Authority.

Completion certificates.—To be signed by (1) School Panch, and (2) any member of the Taluka, District or School Board, whosoever is available or failing them any Officer of the Board duly authorized by the Chairman. In the case of non-local authority Municipal Schools the completion certificate should be signed by the Secretary or the Chief Officer of the non-local authority Municipality.

Bills.—To be prepared by the Engineer or Overseer of the District Local Board and passed by the School Board. It shall be open to the District Local Board to charge reasonable percentage charges from their School Board on account of establishment and tools and plant charges for repairs to School buildings executed through the Board's agency in case the actual total cost (i. e. exclusive of percentage charges) of the work exceeds Rs. 100. But Government grant will be limited to percentage charges at 7 per cent of the cost of the work (*vide* Government Resolution, Educational Department, No. 3019 of 19th November 1928).

PART II—SPECIAL REPAIRS, NEW WORKS, ETC.

(Non-recurring)

N.B.—The School Board and the Local Authority shall sanction works as under:—

School Board.—Plans and estimates for works involving an expenditure up to Rs. 250 inclusive.

Local Authority.—Plans and estimates for works involving expenditure exceeding Rs. 250.

1. All works (except those mentioned in part I-A above), e. g. new works, special repairs, etc., shall be executed through the agency of the Local Authority.

2. For this purpose the School Boards shall call on the Engineer (or where there is no Engineer the Overseer of the Local Authority) to submit to them estimates for the works proposed which should be indicated by the School Board and also to arrange to obtain the approval of the Government, Public Works Department, and other proper authorities where necessary (*vide* Rules 6 and 7 in Schedule D to the Bombay Primary Education Rules, 1924).

4009-1,076-3-34-Q16 Corr. Slip to Edcl. 198 e.
G. R., E. D., No. S-96, dated 12-1-34.]

NOTIFICATION

Educational Department

Bombay Castle, 12th January 1934

No. S-96.—In exercise of the powers conferred by sub-section (1) of section 27 of the Bombay Primary Education Act, 1923 (Bom. IV of 1923), the Government of Bombay are pleased further to amend the Bombay Primary Education Rules, 1924, published in Government Notification in the Educational Department, No. 2534, dated the 10th October 1924, as follows, namely:—

In Schedule E, Part I-A, Completion certificates, *after* "(2) the Police Patel of the place" *add* "or in Sind a person duly authorized by the Chairman of the School Board".

By order of the Government of Bombay (Transferred Departments),

R. B. EWBANK,
Secretary to Government.

3. The Engineer or the Overseer shall submit the estimates to the School Board as early as practicable.

4. The plans and estimates shall be approved with modifications, if necessary, by the School Board and the Local Authority within the limit of their powers as indicated above and shall be returned to the Engineer or the Overseer with an order to proceed with the work.

5. For this purpose the School Board shall at the same time forward to the Local Authority a cheque for the estimated cost of the work.

6. In the School Board's account the amount of the cheque shall be debited to advances and in the accounts of the Local Authority the cheque shall be credited to deposits.

7. The Engineer or the Overseer shall then proceed with the work as an ordinary work of the Local Authority save that the cost shall be debited to deposits. While a work is in progress the supervisor of the beat, or any member of the Taluka, District or School Board, whosoever is available, or, failing them, any Officer of the Board duly authorized by the Chairman, School Board, should report to the Chairman the defects in the construction, if any, provided that the person so authorized by the School Board is always available on the spot. No deviations in the sanctioned plans shall be made without the previous permission in writing of the Chairman, School Board, and until the deviations are approved by those Officers who have approved the plan and estimate of the work.

8. On completion of the work the Engineer or the Overseer shall forward to the School Board a completion certificate, in duplicate, with a statement of expenditure on the work showing the balance due by or to the School Board.

9. If the School Board have reason to believe that the work has not been done according to specifications they shall take up the matter with the Engineer or the Overseer and shall, if necessary, refer all matters in dispute which cannot be settled with the Engineer or the Overseer to their satisfaction to the Local Authority for final orders.

10. The School Board being thus satisfied that the work has been completed shall countersign one copy of the completion certificate and return it to the Engineer or the Overseer. The other copy with the statement of accounts shall be used as the authority for adjusting the amount standing under "Advances" by *per contra* debit works.

11. The School Board shall decide which of the duties devolving on them under these rules shall be performed by the Administrative Officer and the Chairman respectively.

12. In according sanction to estimates the sanctioning authorities shall take care to see that in the case of non-recurring expenditure the conditions prescribed in rule 114, 115 or 120 of the Primary Education Rules, 1924, for qualification for the Government grant are fulfilled.

13. For educational works executed through the agency of the District Local Board, it shall be open to the Board to include reasonable establishment charges in the estimate. But Government grant will be limited to the percentage charge at 7 per cent (*vide* Government Resolution, Educational Department, No. 3019 of 17th July 1925).

SCHEDULE F

Model Pension Fund Rules for School Boards regarding the establishment and maintenance of the Fund as approved by Government [vide *Rule 47* (3)]

1. *Date of institution and extent of application.*—These rules shall come into force from and pension contribution shall be paid into the fund by the School Board on behalf of employees who are in or enter the permanent service of the School Board on or after that date on a substantive pay of Rs. 8 or more a month.

2. *Compulsory contribution.*—Contributions to the fund shall be compulsory on behalf of superior permanent servants except (1) those who subscribe to the Board's Provident Fund, and (2) those who as in pre-control days elect to earn pension from General Revenues. In the latter case the Board will have to credit pension contributions at the rates laid down by Government from time to time into Government Treasury.

3. *To whom not applicable.*—No pension contribution shall be paid into the fund in respect of employees who are subscribers to the Provident Fund established by the Local Authority with the approval of Government.

N.B.—Pension contributions shall be paid to Government on behalf of all officers or clerks holding a permanent appointment under Government whose services have been or may be lent to the Local Authority unless the payment of such contributions has been foregone by Government.

4. *Payment of pension contribution prior to the institution of the Fund.*—The School Board shall continue to pay to Government the pension contributions at the rates laid down by Government from time to time until the date of the institution of the fund on behalf of the employees mentioned in rule 1 above, and the proportionate share of pension, when earned, shall be payable by Government in respect of the period for which pension contributions have been paid to Government.

5. *Rate of pension contribution.*—Contributions payable to the fund from the date of its institution shall be at the rate of one-ninth (or $11\frac{1}{9}$ per cent) of the sanctioned salaries of the several appointments and it shall be made monthly on the date on which the pay bills of the employees are cashed.

No person whose service has not been pensionable in the past shall be permitted to join the pension fund with retrospective effect, and no contribution in that behalf shall be made by the School Board with a view to render past service pensionable.

6. *Control and administration.*—Subject to the general control of the Local Authority the fund shall be administered by the School Board. A separate account of the fund shall be kept and it shall be subject to annual audit by the Auditors of Government.

7. *Investment.*—All accumulated contributions shall be deposited in approved banks or invested in Government securities as early as practicable.

8. *Liability.*—The School Board shall pay out of the fund to the employees concerned the proportionate share of pension, when earned, in respect of the period for which pension contribution has been credited to the fund.

The proportionate share of pension payable by Government and the Local Authority shall be determined by the Accountant-General in accordance with the method indicated in the Bombay Civil Services Rule 279-B.

9. *Payment of pension or gratuity.*—A pension shall be payable monthly in arrears on or after the first day of each month during life-time, whereas a gratuity shall be paid in a single sum and not by instalments, as soon as the amount due is sanctioned by an authority competent to do so.

10. *Final absorption.*—When no liability remains on the fund it shall be absorbed in the general balances of the School Board after refunding to Government the latter's quota equal to the rate of the grant-in-aid made towards the fund (i.e. two-thirds in the case of District Local Boards and one-half in the case of Municipalities).

11. *Submission of establishment return.*—Early in April in each year, a detailed statement in respect of the permanent employees on whose behalf contribution is paid into the fund shall be prepared in the prescribed form and submitted to the Local Authority by the School Board as soon as possible and not later than 15th May.

12. *Modifications.*—These rules shall be subject to such modifications as the School Board and the Local Authority may from time to time consider necessary subject to previous sanction by Government.

SCHEDULE G

Model Provident Fund Rules for School Boards [vide *Rule 47* (3)]

1. *Commencement and extent.*—These rules shall come into force from and shall apply only to employees who are in, or enter the service of, the School Board on or after that date on a substantive pay of Rs. 8 or more a month.

2. *Discontinuance of crediting pension contribution.*—If an employee towards whose pension the School Board is contributing either exercises his option within six months (as, for example, in the case of teachers handed over under section 8 (*1*) of the Bombay Primary Education Act, 1923), or is required compulsorily under the Provident Fund Rules to join the School Board's Provident Fund, pension contribution on his behalf shall cease to be paid by the School Board with effect from the date of his joining the Provident Fund.

3. *Payment of pension or gratuity due to employees who entered School Board's service before the introduction of the Provident Fund scheme.*—In the case of employees who entered the service of the School Board before these rules came into force, whatever pension or gratuity may be due to each under the rules in force in the Government Educational Department on the date of his retirement, shall be paid to him on retirement, in addition to the amount standing to his credit in the books of the Provident Fund.

4. *For whom subscription to Fund is compulsory.*—Subscriptions to the Fund shall be compulsory for all superior permanent non-pensionable servants of the School Board.

5. *Rate of subscription and manner of recovery.*—Contributions of subscribers shall be at the uniform rate of 6¼ per cent on total pay (which includes officiating pay) and current contributions shall be deducted every month from their pay. In the event of an officer being on leave, the contribution shall be calculated on the amount actually drawn and not on the pay of his appointment.

6. *School Board's contribution: its rate, date of payment, etc.*—The School Board's contribution shall be equal to the subscriber's contribution, and shall be made yearly on 31st March, except in the case of death or retirement of a subscriber when the School Board's contribution to that subscriber's account shall be calculated to date.

7. *Investment of accumulated funds.*—All accumulated funds including contributions recovered from subscribers shall be deposited in one of the banks approved by Government or invested in Government securities as early as practicable.

8. *Keeping separate accounts for each subscriber.*—Separate accounts shall be kept for each subscriber, showing the amount of his own personal subscriptions, with the interest thereon as it accrues, and his share of the yearly contribution of the School Board with interest thereon. A copy of his account for the previous year shall be furnished to each subscriber, not later than 31st July in each year.

9. *Rate of interest.*—Interest shall be allowed by the School Board on all payments by subscribers and also on the School Board's contribution at 4 per cent. per annum, to be credited yearly on the 31st March or at death or retirement of any particular subscriber.

10. *Limit of service with regard to eligibility for School Board contribution.*—An employee who entered the School Board's service before these rules came into force shall be entitled to the School Board's contribution with interest after 10 years' service, which should be calculated from the commencement of the employee's service and not from the date of his joining the Provident Fund.

All other subscribers shall be entitled to receive their share of the School Board's contribution, with interest, after 15 years' service from the date of their appointment.

11. *Payment of School Board's contribution in special cases.*—In the event of retirement before completion of the period prescribed by rule 10, subscribers shall receive the amount of their own subscriptions only, with interest thereon, the School Board's contribution lapsing to the Board:

Provided, however, that in case retirement is necessitated by certified incapacity for further service, or other causes beyond the subscriber's control, the School Board may pay their contribution to the subscriber.

12. *Forfeiture of claims to School Board's contribution.*—Dismissal for misconduct shall entail forfeiture of the subscriber's claim to the School Board's contribution with interest thereon:

Provided that in cases in which the misconduct is not criminal the School Board may allow a subscriber dismissed for misconduct to receive such part of the School Board's contribution with interest as the School Board may decide. The balance, if any, shall lapse to the School Board.

13. *Assignments and encumbrances not binding on the School Board.*— The School Board shall not be bound by, or recognize, any assignment or encumbrance executed or attempted to be created, which affects the disposal of the accumulations of a subscriber who dies before retirement.

14. *Grant of advances for special reasons.*—(i) The School Board may, at their discretion, in cases of urgent need, grant advances to subscribers out of the fund towards any of the following purposes:—

(*a*) to pay expenses incurred in connection with the illness of a subscriber or a member of his family;

(*b*) to pay expenses in connection with marriages, funerals, or ceremonies, which by the religion of the subscriber, it is incumbent upon him to perform, and in connection with which it is obligatory that expenditure should be incurred.

(ii) The advances shall not ordinarily exceed three months' pay and shall in no case exceed the amount of the subscriber's contribution including accrued interest.

(iii) When an advance has already been granted to a subscriber, no subsequent advance shall be granted to him, except for very special reasons to be recorded in writing, until at least 12 calendar months have elapsed since the complete repayment of the last advance taken.

(iv) The amount of any advance to a subscriber under this rule shall be debited to the separate account of such subscriber as against his own contribution to the fund, and will operate to reduce *pro tanto* the amount standing to his credit in the fund, from time to time, until the advance shall be recovered, the recoveries being credited to the said account as and when made. No interest shall be credited to the account of any subscriber to whom an advance has been made on any amount for the time being debited to his account as representing an outstanding advance.

(v) An advance shall be recoverable by the School Board by deduction from the salary of the subscriber to whom it is made by monthly instalments of such number, not being more than 24 as shall be fixed by the School Board in each case. Such recoveries shall commence from the first month in respect of which the subscriber shall draw full pay after the advance has been made.

Note.—A subscriber may, however, at his option make repayment in less than the number of instalments fixed by the School Board. No instalments will be recovered from the salary of any subscriber who is on leave, unless such leave is leave on full pay. When two or more advances are made, each advance should be treated separately and the monthly deduction of not less than 1/24th of each advance shall be made until that advance is cleared.

(vi) The instalments will be paid by compulsory deductions from substantive pay and will be in addition to the usual subscriptions.

15. *Disposal of subscriber's accumulations on his death.*—Each subscriber shall, as soon after he joins the Fund as possible, be called upon by the School Board to furnish a "Form of Declaration" showing how he wishes the amount of his accumulations to be disposed of in the event of his death while in the service of the School Board. A specimen of this form will be found in form A appended to these rules.

16. *Definition of family.*—For the purposes of these rules, only the following survivors of a subscriber shall be held to constitute his family:—

(1) Widow or widows.

(2) Children.

(3) Widow or widows and children of a deceased son.

Notes.—(*a*) In the case of a female contributor for "(1) widow or widows", read "(1) widower".

(*b*) If the contributor is unmarried, his or her father, or failing him, his or her mother, or failing both, his or her brother or brothers.

(*c*) An adopted child shall be considered to be a child within the meaning of this rule when, under the personal law of the subscriber, adoption is legally recognized as conferring the status of a natural child, but in this case only. If a doubt arises in

an individual case, the School Board shall refer the matter to the Local Authority's legal adviser and his opinion shall be final for the purposes of these rules. A declaration in favour of an adopted child is made at the subscriber's risk and can be challenged at any time.

17. *Distribution of accumulations and revocation of Declaration.*—(*a*) A subscriber may in his Declaration provide for the distribution of a portion only of the amount. Thus the Form of Declaration may mention a specific sum or a specific proportion of the total amount. The disposal of the balance shall be governed by rule 20 (*b*) or (*d*) according as the subscriber leaves a family or not.

(*b*) Any Declaration submitted by a subscriber is revocable at any time and from time to time. A fresh Declaration shall be operative only on being received by the School Board. On a subscriber's marriage, or re-marriage, any Declaration already submitted by him shall forthwith become null and void and unless a revised form of Declaration is received, the amount of his accumulations shall be dealt with under rule 20 (*b*) or (*d*), as the case may be.

18. *Nomination of person to receive amount in the event of subscriber's death.*— Every subscriber shall nominate in the Form of Declaration prescribed in rule 15 a person to whom the amount standing at his credit shall be payable in the event of his death while in the service of the School Board, or before his claim on the fund shall have been discharged. If the nominee predeceases the subscriber or if the nomination in favour of such nominee is at any time revoked by the subscriber, the subscriber shall make a fresh nomination. If the nominee is a minor, the subscriber must, at the time of nomination, also appoint a person of full age to whom the amount standing at the subscriber's credit is to be paid on behalf of the minor nominee in the event of the subscriber dying before the minor nominee attains majority. If any person so appointed predeceases the subscriber before the minor nominee has attained majority, the subscriber must forthwith appoint another person of full age to receive the amount on behalf of the minor nominee, and from time to time forthwith make a fresh appointment when this is necessitated by the appointee's death as aforesaid.

19. *Prohibition regarding leaving of accumulations to any one outside family.*—If the subscriber has a family, as defined in rule 16, he is not permitted in his Form of Declaration to leave the amount of his accumulations or any part of it to any one outside that family. Where a Form of Declaration purports to leave money otherwise than to a member or members of a subscriber's family, the School Board shall call upon the subscriber to state whether he has a family, and if it is found that he has one, the Form of Declaration shall not be accepted. A subscriber who has a family has absolute discretion regarding the distribution of the amount at his credit at the time of his death among the members of his family. He may exclude any one or more of them in favour of another or others of them, and the manner in which the distribution is to be made among them is also within his absolute discretion.

20. *Disposal of subscriber's accumulations on his death.*—On a subscriber's death before retirement while in the service of the School Board the full amount standing to his credit, including the School Board's contribution, shall be disposed of without deduction (irrespective of the period for which the subscriber may have served) in the manner indicated below:—

(*a*) It, or such portion of it as may be specified in an accepted Form of Declaration, shall be divided among all or any members of his family in accordance with the terms of the Declaration. If the Declaration relates to a portion only of the amount, the balance shall be distributed in the manner described in clause (*b*) below.

If the Declaration does not state the person or persons to whom the sum intended for the benefit of a minor is to be paid, the sum due shall be paid to the minor's legal guardian to be used for the minor's benefit, or, failing a legal guardian, to such person or persons as the School Board considers to be the proper person or persons to receive it on the minor's behalf.

(*b*) Where a subscriber leaves a family, but no Form of Declaration in favour of any member or members of the family has been received from him, the amount shall be distributed among his family, except that sons and sons of a deceased son, who have attained legal majority, and married daughters, and married daughters of a deceased son, whose husbands are alive, shall be excluded from participation.

The division among the persons entitled shall be in equal shares, except that the widow or widows and child or children of any deceased son shall take equally between them only the share which that son would have taken had he survived the subscriber.

Any sum due to a minor shall be paid to the minor's legal guardian to be used for the minor's benefit, or, failing a legal guardian, to such person or persons as the School Board considers to be the proper person or persons to receive it on the minor's behalf.

(*c*) If there be no party to receive the amount under (*a*) or (*b*), it shall be divided among or paid to such person or persons (whether related to the subscriber or not) as may be specified in an accepted Form of Declaration. If the Form of Declaration relates to a portion only of the amount, the balance shall be distributed in the manner described in clause (*d*).

(*d*) If there be no party entitled to receive under (*a*), (*b*), or (*c*) above, the amount will be paid to the contributor's legal representative or such other person or persons as may be determined by a Civil Court competent to pass orders in this respect; provided that if the sum remaining at the credit of the contributor does not exceed Rs. 500, it may be paid to such person or persons as may produce a certificate signed by a Magistrate of the First Class stating that the person or persons mentioned therein is/are entitled to receive the amount.

Note 1.—A husband may make a written application for the exclusion of his wife from participation under clause (*b*) if she has been judicially separated from him. In the absence of such an application, the widow shall retain her rights under clause (*b*).

Note 2.—When a person named in a Form of Declaration dies before the subscriber, the Declaration shall, in the absence of a direction to the contrary in the Form of Declaration, become null and void in respect of that person, but that person only, and his or her share shall be distributed in the manner described in clause (*b*) or (*d*), as the case may be.

21. *Refunding to Government the grant-in-aid (with interest thereon).*—Where the whole or part of the School Board's contributions (with interest thereon) towards the Provident Fund account of a subscriber lapses to the Board under Rule 11 or 12, it shall be incumbent on the Board to refund to Government the grants-in-aid (with the interest thereon) which were received by it on this account from time to time when the contributions were paid into the subscriber's account.

22. *Payments of accumulations to be made within three months from the date of retirement or death of subscriber.*—Payments shall be made within three months from the date of retirement or death of the subscriber, and shall include interest up to the date on which payment is made; and if payment is not claimed before the expiration of the three months, no interest shall accrue beyond that period.

23. *Recovery of School Board claims from subscriber's accumulations.*—The School Board shall have power to recover any money claims they may have against a subscriber from the amount standing to the subscriber's credit in the books of the School Board.

24. *Administration, management, etc., of fund.*—The Fund shall be administered by the School Board, all work in connection with its management being carried on as a part of the function of the School Board. Extra expense, if any, on account of the running of the Fund shall be sanctioned by the Local Authority, with the previous approval of Government, and charged to the revenues of the Fund.

25. *Power to modify rules.*—These rules shall be subject to such modifications as the Local Authority may from time to time consider necessary subject to the previous sanction of Government.

FORM A

Form of Declaration (vide *Rule 15)*

(For* subscriber)

I hereby declare that in the event of my death the amount at my credit in the Provident Fund shall be distributed among the persons mentioned below in the manner shown against their names.

The amount due to a nominee who is a minor at the time of my death should be paid to the person whose name appears in column 5. If the person named in column 5 is not in the opinion of the School Board suitable to receive the amount

---

* Here state married or unmarried.

165—537—6-34—Q16 Corr. Slip to Edcl. 198 e.

G. R., E. D., No. S-76, dated 3-1-34, and
G. M., E. D., No. S-96-950/F, dated 8-3-34.]

EDUCATIONAL DEPARTMENT

Bombay Castle, 3rd January 1934

7 The following rule *should be substituted* for rule 23 in Schedule G (Model Provident Fund Rules) to the Bombay Primary Education Rules, 1924, as amended up to 1st September 1933:—

"23. *Recovery of School Board claims from the amount standing to the subscriber's credit.*—Before any payments are made to any subscriber from the fund all sums due by him to the Local Authority or the School Board on any account shall be recovered by the School Board by deducting the amount due by him from the amount payable to him, but not exceeding in any case the total amount of any contributions credited by the School Board to the account of the subscriber and any interest or increment which has accrued on such contributions."

By order of the Government of Bombay,
(Transferred Departments),

J. B. FERNANDES,
Under Secretary to Government.

on behalf of the minor, the School Board shall pay the amount to any person specified in the third paragraph of Rule 20 (*b*).

Name and address of nominee or nominees.	Relationship with the subscriber.	Whether major or minor; if minor, state his age.	Amount or share of deposit.	Name and address of the person to whom payment is to be made on behalf of the minor.	Sex and parentage of person mentioned in column 5.
1	2	3	4	5	6

Place

Date

In the presence of

(1)

(2)

Signature of subscriber.

APPENDICES

APPENDIX A

(*Vide* rule 125)

Census Form

Register of boys / girls in

Serial No.	Name of village or ward of a Municipality in a town or village.	Name of boy / girl with father's name and surname, if any.	Caste.	Vernacular.	Date of birth.	Date of attaining 6 years.	Date of attaining 11 years.	Name and address of parent or guardian or other person who has actual custody of the child.	Remarks.*
1	2	3	4	5	6	7	8	9	10

*Here the name of the school to which the child is to be sent should be entered; or if the child is exempted, a note to that effect should be made.

APPENDIX B

(*Vide* rule 127)

To

Sir,
Madam,

As your son / daughter / ward will attain / attained the age of 6 years on you are required under the provisions of section 18 * of the Bombay Primary Education Act, 1923, to see that he / she attends school regularly from . If you wish him / her to attend a school other than the above, you should apply to me stating the school which you wish him / her to attend. If you consider that you have a reasonable excuse under section 19 * of the Act for not sending your son / daughter / ward to school you should apply to me within one month showing cause why he / she should be exempted from attending school.

Dated

School Board Administrative Officer,
Municipality.

(In the case of Municipalities which are Local Authorities.)

Chairman,
Schools Committee.

(In the case of District Local Boards and Municipalities which are not Local Authorities.)

* Sections 18 and 19 should be reprinted on the reverse of the notice.

APPENDIX C

(*Vide* rule 133)

Number of children to be provided for (District Local Boards).

[Two tables should be prepared for each Taluka, one for boys and one for girls.]

Taluka, District.

	a With population over 1,000.	*b* With population of 500—1 000.	*c* With population under 500.	Total.
1. Number of villages ...				
2. Total $\frac{\text{male}}{\text{female}}$ population of such villages ...				
3. Number of $\frac{\text{boys}}{\text{girls}}$ of school-going age at 15 per cent of population ...				
4. Number of villages with Local Board schools on 31st March 1924 ...				
5. Average monthly number on rolls of such Local Board schools on 31st March 1924 ...				
6. Average monthly number of $\frac{\text{boys}}{\text{girls}}$ attending other approved schools on 31st March 1924 ..				
7. Total number of $\frac{\text{boys}}{\text{girls}}$ at school on 31st March 1924.				
8. Number of $\frac{\text{boys}}{\text{girls}}$ of school-going age at school at as of total (7) on 31st March 1924 ...				
9. Number of $\frac{\text{boys}}{\text{girls}}$ of school-going age to be provided for [3 *minus* 8] ...				
10. Deductions * ...				
11. Net total number of $\frac{\text{boys}}{\text{girls}}$ to be provided for ...				

* Deductions may be made for small villages where the number of children will not justify a school being opened. Possibly half the children in villages of less than 500 will be thus excluded. Deductions may also be made for areas and classes which it is proposed to exempt from compulsion.

APPENDIX D

(*Vide* rule 133)

Number of children to be provided for (Municipalities).

[Two tables should be prepared for each Municipality, whether a Local Authority or not, one for boys and one for girls.]

Municipality _____

_____ _____ District

1.	Total $\frac{\text{male}}{\text{female}}$ population ...	
2.	Number of $\frac{\text{boys}}{\text{girls}}$ of school-going age ...	
3.	Average monthly number of $\frac{\text{boys}}{\text{girls}}$ on rolls of Municipal Primary Schools on 31st March 1924 ...	
4.	Average monthly number of $\frac{\text{boys}}{\text{girls}}$ on rolls of other approved schools on 31st March 1924 ...	
5.	Total number of $\frac{\text{boys}}{\text{girls}}$ at school [3 *plus* 4] on 31st March 1924 ...	
6.	* Number of $\frac{\text{boys}}{\text{girls}}$ of school-going age at school on 31st March 1924 ...	
7.	Number of $\frac{\text{boys}}{\text{girls}}$ to be provided for [2 *minus* 6] ...	
8.	† Deductions ...	
	Net total number of $\frac{\text{boys}}{\text{girls}}$ to be provided for ...	

* This figure may be obtained from the schools.

† Deductions may be made on account of classes which it is proposed to exempt.

APPENDIX E

(*Vide* rule 133)

Consolidated Table for District Local Boards

District

———	Number of boys to be provided for.	Number of girls to be provided for.
Taluka ...		
Total ...		
Municipality ...		
Total ...		
Grand Total ...		

APPENDIX F

(*Vide* rule 133)

[Two tables should be prepared for each District Local Board or Municipality, one for boys and one for girls.]

Distribution of pupils by caste

District Local Board.
Municipality.

	Advanced Hindus.	Jains.	Intermediate Hindus*.	Backward Hindus*.	Muhammadans.	Christians.	Others.	Total.
1 Total $\frac{\text{male}}{\text{female}}$ population ...								
2. Number of $\frac{\text{boys}}{\text{girls}}$ of school-going age ...								
3. Average monthly number of $\frac{\text{boys}}{\text{girls}}$ on rolls of primary schools on 31st March 1924 ...								
4. † Number of $\frac{\text{boys}}{\text{girls}}$ of school-going age at school on 31st March 1924 ...								
5. Percentage of $\frac{\text{boys}}{\text{girls}}$ of school-going age at school $\left[\frac{(4) \times 100}{(2)}\right]$ on 31st March 1924								

*For the definition of these castes, *see* pages ix and x at the end of Volume VIII, Part II, Census of India, 1921.

† If this figure cannot be readily obtained from the school, two-thirds of the total number of children attending school may be taken as of school-going age.

APPENDIX G

(*Vide* rule 134)

Estimated additional cost of the programme in the year 193

1. Separate statements should be prepared for boys and for girls.

2. In the case of District Local Boards separate statements should be prepared for each Municipality whose schools are managed by the District Local Board.

$\frac{\text{District}}{\text{Municipality}}$

	Pupils.	Rupees.
1. Number of new schools to be opened ...		
2. Estimated number of $\frac{\text{boys}}{\text{girls}}$ who will attend new schools ...		
3. Estimated increase of $\frac{\text{boys}}{\text{girls}}$ attending existing schools ...		
4. Estimated total increase of $\frac{\text{boys}}{\text{girls}}$ ...		
5. Estimated recurring cost at Rs. per $\frac{\text{boy}}{\text{girl}}$ (including all charges) ...		
6. Estimated increase of $\frac{\text{boys}}{\text{girls}}$ attending other approved schools ...		
7. Estimated cost at Rs. per $\frac{\text{boy}}{\text{girl}}$ on account of grant-in-aid ...		
8. Estimated non-recurring cost * ...		
9. Total ...		

*The non-recurring cost should include buildings, furniture, equipment, expenditure on a census, etc.

APPENDIX H

(*Vide* rule 134)

Estimated increase of pupils.

[Separate tables should be prepared for boys and for girls.]

Year.	Pupils in schools of Local Authorities in previous year.	Pupils in other schools in previous year.	Total number of pupils in previous year.	Increase of pupils in schools of Local Authorities.	Increase of pupils in other schools.	Total increase.	Grand Total.
1923-24 (Actuals)*							
1924-25 ...							
1925-26 ...							
1926-27 ...							
1927-28 ...							
1928-29 ...							
1929-30 ...							
1930-31 ...							
1931-32 ...							
1932-33 ...							
1933-34 ...							

* For 1923-24 the actual number of pupils in that year shou'd be entered under the heading "Grand Total". The other columns should not be filled up.

APPENDIX I

(*Vide* rule 134)

Estimated cost of the Programme

Year.	Expenditure of previous year.	Additional recurring expenditure.	Total recurring expenditure.	Non-recurring expenditure.	Provincial grant recurring.	Provincial grant non-recurring.	Fees and other receipts.	Municipal contribution†.	Amount to be provided by Local Authority.
1923-24 (Actuals)*									
1924-25 ...									
1925-26 ...									
1926-27 ...									
1927-28 ...									
1928-29 ...									
1929-30 ...									
1930-31 ...									
1931-32 ...									
1932-33 ...									
1933-34 ...									

*Actual figures should be entered for 1923-24. The first two columns should not be filled in.

†This refers only to the contribution of Municipalities whose schools are managed by a District

APPENDIX J

(*Vide* rule 135)

Detailed scheme for the year 193 for the introduction of compulsory elementary education

A statement should be prepared for each area of compulsion and also for each municipality, whether a Local Authority or not.

Separate statement should be prepared for boys and for girls, if it is proposed to provide for the latter.

1. Name of area to which it is proposed to apply compulsion—
2. Area in square miles—
3. Population— Male / Female

	Population over 1,000.		Population between 500 and 1,000.		Population under 500.	
4. * No. of villages ...						
5. ...	(a) Advanced Hindus.	(b) Intermediate Hindus.	(c) Backward Hindus.	(d) Muhammadans.	(e) Christians.	(f) Others.
Number of boys / girls of school-going age according to census ...						
Number of boys / girls of school-going age already attending approved schools						
Number of boys / girls of school-going age to be exempted ...						
Number of boys / girls of school-going age to be provided for ...						

*Omit in case of Municipalities.

6.

	(a) Marathi.	(b) Gujarati.	(c) Kanarese	(d) Sindhi.	(e) Urdu	(f) English	(g) Others
Number of boys / girls of school-going age whose vernacular according to census is ...							
Number of boys / girls of school-going age already attending approved schools							
Number of boys / girls of school-going age to be exempted ...							
Number of boys / girls of school-going age to be provided for ...							

7. Existing schools and pupils—

	Managed by Local Authority.		Approved by Local Authority.		Total.	
	Number of schools.	Averege number of pupils on rolls.	Number of schools.	Average number of pupils on rolls.	Number of schools.	Average number of pupils or rolls.
Ordinary primary schools ...						
Urdu schools ...						
Others* ...						
Total ...						

8. Proposed new schools—

	Managed by Local Authority.		Approved by Local Authority.		Total.	
	Number of schools.	Estimated number of pupils.	Number of schools.	Estimated number of pupils.	Number of schools.	Estimated number of pupils.
Ordinary primary schools ...						
Urdu schools ...						
Others* ...						
Total ...						

9. Estimated additional attendance in existing schools—

	Managed by Local Authority.	Approved by Local Authority.	Total.
	Estimated additional number of pupils.	Estimated additional number of pupils.	
Ordinary primary schools ...			
Urdu schools ...			
Others* ...			
Total ...			

* This refers to schools in which instruction is given in a vernacular other than the vernacular of the district.

10. Present staff in schools managed by Local Authority (in area of compulsion)—

	Number of teachers.
Third-year trained	...
Second do.	...
First do.	...
Qualified	...
Unqualified	...
Student teachers	...
Pupil teachers	...

11. Proposed additional staff in schools managed by Local Authority—

	Number of teachers.		Total.	Average cost per mensem of a teacher.	Total cost per annum.
	In new schools.	In existing schools.		Rs.	Rs.
Third-year trained ...					
Second do. ...					
First do. ...					
Qualified ...					
Unqualified ...					
Student teachers ...					
Pupil teachers ...					
Total ...					

12. Additional expenditure—

	Recurring (per annum).	Non-recurring
(1) In schools managed by Local Authority ...		
(a) Additional staff as above ...		
(b) Pension contribution (when pension is to be paid by Government) ..		
(c) Provident Fund ...		
(d) Rent and taxes ...		
(e) Contingencies ...		
(f) Furniture, equipment, etc. ...		
(g) Other expenditure ...		
(2) On approved schools ...		
Grants ...		
(3) Additional supervising staff (in detail) ...		
Grand Total ...		

13.

	Recurring.	Non-recurring
Total additional expenditure ...		
Estimated savings, if any, in expenditure on existing schools. ...		
Net additional expenditure ...		
Estimated Provincial grant at ½ or ⅔ ...		
Balance ..		
Remission of fees ...		
Total amount to be provided by Local Authority ...		

14. How the Local Authority proposes to meet its share of the additional expenditure. (If the area of compulsion is a municipality, whose schools are managed by a District Local Board, one-third of the additional expenditure will have to be provided by the municipality.)

APPENDIX K

(*Vide* rule 139)

Detailed scheme for the year 193 for the expansion of primary education on a voluntary basis

A statement should be prepared for each taluka and also for each Municipality, whether a Local Authority or not.

Separate statement should be prepared for boys and for girls.

The form in Appendix J may be used, the heads Nos. 8 to 14 only being filled up. Under head No. 10, the existing staff for non-compulsory areas should be given.

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